

Independent Reporting Mechanism (IRM): Jordan Progress Report 2016–2018

Partners-Jordan

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Executive Summary:



Jordan Year 1 Report

Action plan: 2016–2018
Period under review: 2016–2017
IRM report publication year: 2018

Jordan's third action plan targets issues relevant to the national context, such as the enforcement of the access to information law and decentralization of political power to foster public participation at the local level. However, some commitments are broadly formulated, lacking sufficient scope for tackling identified policy issues effectively. In the next action plan the government needs to engage in more constructive dialogue with CSOs and prioritize commitments on the enforcement of FOI law, the operating environment for media and public finance transparency.

HIGHLIGHTS

Commitment	Overview	Well-Designed? *
1. Strengthening FOIA legislative framework	This commitment could have a potentially transformative impact on the legal and regulatory environment for Jordan's access to information legislation.	Yes
5. Decentralization law and council elections	This commitment is about implementing the Decentralization Law and holding the first municipal elections in Jordan in 2017.	Yes
8. Budget and financial disclosure	Commitment entails public disclosure of two budget documents, in line with international standards on budget transparency.	No
10. Open data	The commitment proposes the implementation of an open data sources policy within government institutions, legally establishing a framework for improved public access to information.	Yes

*Commitment is evaluated by the IRM as specific, relevant, and has a transformative potential impact

PROCESS

The Ministry of Planning and International Cooperation (MOPIC) is the lead institution responsible for implementation of Jordan's 2016–2018 action plan. The intergovernmental consultation included four ministries and one independent institution, and several civil society groups were involved. Most commitments were built on pre-existing government initiatives.

Who was involved?

		Government		
		Narrow/ little governmental consultations	Primarily agencies that serve other agencies	Significant involvement of line ministries and agencies
Civil society	Beyond "governance" civil society			
	Mostly "governance" civil society			
	No/little civil society involvement		✓	

The Ministry of Planning and International Cooperation (MOPIC) is the leading office responsible for Jordan's 2016–2018 action plan. Apart from leading the initiative, MOPIC recruited different agencies to be part of the Jordanian government's "Open Government Steering Committee" (in charge of implementing Jordan's national action plan). Development of the action plan was limited to four ministries and one independent commission with invitation to participate done on an ad hoc basis. Six agencies comprised the multi-stakeholder forum along with five CSOs, which included those working with women's and youth issues.

Level of input by stakeholders

Level of Input	During Development
Collaborate: There was iterative dialogue AND the public helped set the agenda	
Involve: The government gave feedback on how public inputs were considered	
Consult: The public could give input	✓

Inform: The government provided the public with information on the action plan.	
No Consultation	

OGP co-creation requirements

Timeline Process and Availability Timeline and process available online prior to consultation	Yes
Advance notice Advance notice of consultation	Yes
Awareness Raising Government carried out awareness-raising activities	No
Multiple Channels Online and in-person consultations were carried out	Yes
Documentation and Feedback A summary of comments by government was provided	No
Regular Multi-stakeholder Forum Did a forum exist and did it meet regularly?	Yes
Government Self-Assessment Report Was a self-assessment report published?	Yes
Total	5 of 7

Jordan did not act contrary to OGP process

A country is considered to have acted contrary to process if one or more of the following occurs:

- The National Action Plan was developed with neither online or offline engagements with citizens and civil society
- The government fails to engage with the IRM researchers in charge of the country's Year 1 and Year 2 reports
- The IRM report establishes that there was no progress made on implementing any of the commitments in the country's action plan

COMMITMENT PERFORMANCE

The majority of Jordan's 11 commitments are substantially or fully implemented. These include two important commitments on local elections and budget transparency. However, a potentially transformative commitment on FoI implementation was not started.

Current Action Plan Implementation

2016–2018 Action Plan	
Completed Commitments (Year 1)	3 of 11 (27%)
OGP Global Average Completion Rate (Year 1)	18%

Previous Action Plan Implementation

2014–2016 Action Plan	
Completed Commitments (Year 1)	22 of 35 (56%)
Completed Commitments (Year 2)	27 of 35 (69%)
2012–2013 Action Plan	
Completed Commitments (Year 1)	6 of 31 (19%)
Completed Commitments (Year 2)	N/A

Potential Impact

2016–2018 Action Plan	
Transformative Commitments	3 of total 11 (27%)
OGP Global Average for Transformative Commitments	16%
2014–2016 Transformative Commitments	0 of 35 (0%)
2012–2013 Transformative Commitments	7 of 31 (23%)

Starred commitments

2016–2018 Action Plan	
Starred Commitments* (Year 1)	1 of 11 (9%)
Highest Number of Starred Commitments (All OGP Action Plans)	5
2014–2016 Starred Commitments	0 of 35 (0%)
2012–2013 Starred Commitments**	2 of 31 (6%)

*Commitment is evaluated by the IRM as specific, relevant, has a transformative potential impact, and is substantially complete or complete

**Prior to 2015, evaluation for starred commitments allowed for moderate or transformative potential impact

IRM RECOMMENDATIONS

1. Strengthen the consultation and co-creation process
2. Ensure adequate implementation of access to information
3. Improve the operating environment for the media
4. Include commitments that strengthen public accountability through citizen audits
5. Ensure financial transparency and budget disclosure

COMMITMENT OVERVIEW

Commitment Title	Well-designed (Year 1)*	Overview
1. FOIA legislative framework	Yes	This commitment, which will reform the regulatory environment for the country's access to information legislation, has not yet started due to funding issues and confusion around which institution is responsible for implementation.
2. Strengthen the facilities available for persons with disabilities	No	This commitment will enable persons with disabilities to access information related to the use of the justice system by converting all information and documents pertaining to the litigation process into Braille or electronic formats.
3. Legal framework on freedom of the media	No	This commitment seeks to strengthen the freedom of the media legal framework and create an interactive electronic forum to engage the public in discussions concerning freedom of the press. The commitment text is too broad and does not list specific outcomes that would improve the challenging operating environment for the media.
4. A. Complaints mechanism	No	This commitment entails registration of complaints related to human rights violations through a unified online database. Commitment text does not clearly spell out how complaints will be handled.
4. B. Complaints related to governmental services	No	The commitment seeks to provide additional channels for submitting complaints (such as through a mobile phone application). The potential impact of this commitment is minor, as the central government complaints management system was established prior to this action plan.
★ 5. Decentralization law and council elections	Yes	This commitment developed internal regulations to implement the Decentralization Law and hold municipal elections in 2017 to foster public political participation. Implementation of this commitment was completed during the first year, concluding with municipal elections on 15 August 2017.
6. Automated healthcare services	No	The overall objective of the commitment is to strengthen the Ministry of Health's internet infrastructure. As written, the commitment has unclear relevance to OGP values and a minor potential impact because it continues an already existing initiative.
7. Interactive observatory forum to monitor government's plans and progress	No	The commitment aims to create a mechanism for publicizing government information that would allow for citizen oversight. The commitment does not describe which programs will be targeted or how inputs will be used. The implementation of this commitment has not started yet.
8. Budget and financial disclosure	No	This commitment will broaden the scope of financial disclosure of all government institutions through increased publication of financial and budgetary information, including budget accounts that were not previously aggregated. The

		Ministry of Finance published the aggregated government accounts for 2015 online in May 2017.
9. Participatory policies on climate change	No	This commitment seeks to formulate and adopt policies related to climate change in cooperation with civil society. The potential impact is minor as the commitment does not specify how awareness-raising activities will be carried out and how citizens could translate information into effective legislative change.
10. Open data	Yes	The commitment proposes the implementation of an open data sources policy within government institutions. Implementation is substantially complete, with tools to measure the quality of open data sources and a program to measure the government's capability to publish open data still to be developed.

*Commitment is evaluated by the IRM as specific, relevant, and has a transformative potential impact

ABOUT THE AUTHOR

Partners Jordan is a Jordanian non-profit organization, committed to advancing civil society, promoting mediation, conflict management and culture of change, and encouraging citizen participation in Jordan's social and political development.

The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism (IRM) assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.



I. Introduction

The Open Government Partnership (OGP) is an international multi-stakeholder initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP provides an international forum for dialogue and sharing among governments, civil society organizations, and the private sector, all of which contribute to a common pursuit of open government.

Jordan began its formal participation in September 2011, when Foreign Minister Nasser Judeh, deputizing for King Abdullah II, declared the country's intention to participate in the initiative.¹

In order to participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of (minimum) performance criteria. Objective, third-party indicators are used to determine the extent of country progress on each of the criteria: fiscal transparency, public official's asset disclosure, citizen engagement, and access to information. See Section VII: Eligibility Requirements for more details.

All OGP-participating governments develop OGP action plans that elaborate concrete commitments with the aim of changing practice beyond the status quo over a two-year period. The commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

The official implementation period for the action plan was 1 January 2016 through 30 December 2018. However, as Jordan developed its national action plan from September 2015 to October 2016, the implementation of commitments did not begin until 2017 (most of them in January and the rest in April, May and September). This year one report covers the action plan development process and first year of implementation, from January 2016 to December 2017. Beginning in 2015, the IRM started publishing end-of-term reports on the final status of progress at the end of the action plan's two-year period. Any activities or progress occurring after the first year of implementation, December 2017, will be assessed in the end-of-term report. The government published its self-assessment in October 2017.

In order to meet OGP requirements, the Independent Reporting Mechanism (IRM) of OGP has partnered with Partners-Jordan, who carried out this evaluation of the development and implementation of Jordan's third action plan. To gather the voices of multiple stakeholders, the IRM researchers, Partners-Jordan, held focus groups and interviews with members of civil society organizations (CSO)—including Royal NGOs (RONGOs), Non Royal NGOs (Non RONGOs) and Government NGOs—and local government officials in Amman, the Dead Sea, and Karak. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. Methods and sources are dealt with in Section VI of this report (Methodology and Sources).

¹ <https://www.opengovpartnership.org/countries/jordan>

II. Context

Jordan's third action plan includes commitments that address topics relevant to the national context, such as strengthening the access to information legislative framework, disclosure of budget information, decentralization reform and improving service delivery. While the action plan targets important policy areas, commitments are broadly formulated and lack sufficient scope for tackling identified policy issues adequately.

2.1 Background

Jordan was the first Arab country to join OGP in 2011. Together with Morocco and Tunisia, Jordan is, so far, one of the few Arab countries participating in the OGP process, scoring high on governance indicators in respect to the regional average.¹ Jordan's OGP eligibility criteria (budget transparency, access to information, asset declaration, and citizen engagement) has remained unchanged for the past five years, with the country retaining a 75 percent score.²

Following the period of political and social instability dubbed as Arab Spring, the government introduced several constitutional amendments aimed at improving respect for individual freedoms (association, expression and assembly). During this period, the adoption of the Political Parties and Elections Acts (2015 and 2016) created the ground for a fairer representation of citizens by establishing an Independent Election Commission and a Constitutional Court.³

However, the past few years have seen legislative changes and several restrictions to individual freedoms in the context of the threat from terrorism. In 2012, the Press and Publications Law was amended to introduce restrictions to online media and, in 2014, an anti-terror legislation classified anything that causes "disorder by disrupting public order" or "disturbs a foreign relation" as terrorism. As a consequence of this broad definition of terrorism and other recent laws⁴, free speech, freedom of the media and internet freedom conditions have been further restricted in Jordan.⁵ Moreover, people prosecuted under the anti-terror law are tried in the State Security Court, which is a military, rather than civilian, court.⁶

Despite the increasing number of CSOs operating in the country, the tradition of independent civil society activism is still weak. According to the laws that regulate CSOs' activities, prior government approval is required for CSOs to receive foreign funding as well as to collect donations from the public.⁷ As a consequence, resources remain scarce and targeted to specific projects.⁸

Access to information

Jordan was the first Arab country to pass an Access to Information Law in 2007.⁹ The law scored 52 out of 150 points on the ATI rating developed by the Center for Law and Democracy and Access Info Europe. According to this rating, the law defines a broad regime of exceptions, and the requesting procedure is ambiguous requiring further amendment.¹⁰

The access to information legislation was perceived as an important step forward towards government openness, but the implementation of the law has shown little progress. CSOs note that the information the government releases is limited, periods of time to respond to requests are long, and the enforcement of the law is weak.¹¹

Budget transparency

Since 2012, the government of Jordan has increased the availability of budget information by making eight key budget documents available online and in a timely manner. In 2017 Jordan saw an increase in its score on the Open Budget Index, scoring 63 out of 100, an improvement of eight points from 2015, which indicates that Jordan provides the public with substantial budget information.¹² The International Budget Partnership recommended the Jordanian government increase public participation in budgeting and oversight processes, as Jordan's score of 11 out of 100 indicates that the provision of opportunities for the public to engage is weak.

Freedom of Expression and Restriction of Civic Space

The Jordanian Constitution guarantees freedom of expression.¹³ However, after the Egyptian revolt, the Jordan regime proposed amendments that require websites and media outlets to register with the government, as well as criminalizing hate speech, vaguely defining it as "any word or action that incites discord or religious, sectarian, ethnic, or regional strife or discrimination between individuals or groups."¹⁴ Proposed amendments to the Information Systems Crime Law of 2010, which intensify punishments for defamation and also for sending and sharing hate speech, present challenges to openness, including a potential restriction of freedoms, and threats to accountability and participation.

As of 2017, Reporters Without Borders ranks Jordan 138 of 180 countries evaluated; down three points from 135 in 2016¹⁵ on media independence, media environment and self-censorship, legislative framework, and the quality of the infrastructure that supports the production of news and information. Licensing practices discourage opposition discourse from the media by requiring journalists to be affiliated with the government-controlled Jordanian Press Association. Similarly, media outlets have to pay to join the Jordanian Media Commission which prices out smaller projects. Additionally, the use of gag orders by the media commission can serve to restrict public debate and limit journalists' access to information on sensitive issues.

Moreover, in 2014, a decision by the Jordanian Court of Cassation to classify all websites as publications became problematic as it places all websites under the jurisdiction of the Press and Publications Law¹⁶, technically requiring them to register with the government. Hundreds of websites have been blocked on the grounds that they have no license and under the 2015 cyber-crime law, articles published in online newspapers and posts on social networks which could be defined as hate speech can be punishable and constitute grounds for pre-trial detention.¹⁷ This presents a challenge to openness as it could pressure online publishers to self-censor their content. Additionally, any online publisher's content is punishable by the Press and Publications Law, whose violations are vaguely described.

The CIVICUS Monitor, which tracks the closing of civic spaces, rated Jordan's civic space as obstructed as authorities have introduced several restrictions to citizens' participation, freedom of expression and freedom of the media. CIVICUS also highlighted that the government has increased the requirements for CSOs to receive foreign funds. In this respect, the government is currently under scrutiny from civil society and human rights groups.¹⁸ Community members and activists interviewed by the IRM researcher also stressed that bureaucratic measures are making it increasingly difficult for civil society to organize, participate, and communicate without hindrance.¹⁹

Anti-Corruption Measures

In 2012, Jordan began to make fundamental revisions to the Anti-Corruption Commission Law to try to comply with international standards, including creating a number of legal articles to grant protection to witnesses, whistleblowers, and experts in corruption cases.

In 2014, Jordan issued the Law on Protecting Whistleblowers, Witnesses, Informants, Corruption Case Experts, and their Relatives and Close Associates. Based on this law, a special unit was established to enable the protection of whistleblowers, to receive requests for protection and evaluate the actual threat and related risks. The unit was designed to handle the requests of whistleblowers and informants who wish to remain incognito. Within Jordanian law, there are provisions to protect people up to the fourth degree of kinship to the person requesting protection as a whistleblower. Other individuals who are closely affiliated with the requester of protection are also covered by law, pending a decision by the Anti-Corruption Commission Board.²⁰

The Jordan Integrity and Anti-Corruption Commission (JIACC) has recently referred three cases to court involving abuse of public office, bribery and violations of laws and regulations. One of the cases involves a “large industrial company” that allegedly committed tax evasion, having manipulated the bills it sent to the Income and Sales Tax Department in order to avoid paying taxes.²¹

Jordan scores two points out of four on the OGP eligibility criteria on asset declarations of public officials by having implemented the Financial Disclosure Law.²² According to the World Bank, income and asset disclosure in Jordan represents a positive, albeit limited, step towards enhancing integrity and transparency in the public sector.²³ Several gaps and ambiguities remain in the law²⁴, and a balance should be found between maintaining confidentiality and providing scrutiny of the declarations. The Financial Disclosure Department (FDD), under the Ministry of Justice, has the mandate to ensure compliance to asset declaration rules and to retain custody of such declarations. The head of this agency is appointed by the Minister of Justice.

Decentralization Reform

Jordan’s political and administrative system is characterized by a high degree of centralization. Although it has a two-tier system of governorates and municipalities, provision of services remains limited at the subnational level, as the central government provides all basic services including healthcare, water, electricity, and education, among others.²⁵

With the enactment of the Decentralization and Municipality Law in 2015 the government of Jordan has undertaken a major step towards promoting elected governorate and local councils. The process began with the elections for local councils in August 2017, across 158 districts in 12 governorates.²⁶ Gradually administrative, political and financial competencies are being transferred to lower tiers of government. In this respect the OECD has given several recommendations while stating that the decentralization reform is a very important opportunity for Jordan to establish partnerships with citizens.²⁷

Jordan has been a founding member of the MENA (Middle East and North Africa Transition Fund) - OECD (Organisation for Economic Co-operation and Development) Governance Programme, a strategic partnership between MENA and OECD countries to share knowledge and expertise in good governance reforms. The government of Jordan has been working closely with the OECD to reform its public sector in line with OECD best practices, including support for the implementation of the OGP action plan and the participation of women and youth in public life.²⁸

2.2 Scope of Action Plan in Relation to National Context

Compared to previous OGP action plans, Jordan’s third action plan covers a wide range of priority areas: from freedom of information and the media, to climate change, opening data, and strengthening public service delivery. The action plan includes commitments in areas that are identified to be a priority by the CSOs interviewed for this report. Namely, access

to information rights, access to justice and citizen participation.²⁹ Nonetheless, there are still some challenges regarding the broad language of commitments and the lack of specificity.

Jordan's OGP agenda is closely linked to the government program "National Integrity Charter (2014–2018)", a series of reforms and interventions that aim to boost national integrity and prevent corruption.³⁰ The goals of the National Integrity Charter action plan fit in well with the goals of the OGP action plan, as they both advocate for greater transparency, accountability and public participation. Both plans entail decentralization, integrity and rule of law reforms.

As discussed in the previous section, there are currently concerns about restrictions to the media, freedom of speech and pre-requisites for CSOs approval of foreign funding in Jordan. In this context, including commitments that provide amendments to the laws and lift current restrictions to freedom of expression and civic space would be a significant step towards making the government open.

The current action plan contains commitments that address OGP principles of access to information, civic participation and technology and innovation. Including commitments that foster the value of public accountability remains a challenge for Jordan. Actions in this direction could include institutionalizing viable mechanisms of citizen reporting and allowing citizens to seek redress for community problems. Finally, future action plans will need to improve the formulation of commitments, by including specific activities while promoting ambitious results.

¹ Worldwide Governance Indicators, <http://info.worldbank.org/governance/wgi/#reports>.

² Open Government Partnership "2010-2016 Eligibility Master", , <https://docs.google.com/spreadsheets/d/1kRgVVEjPpqlpD8zBXhNA4lh3wVWwL0JH9aVWtuZn8j2E/edit#gid=869039115>

³ OECD, Towards a New Partnership with Citizens, <https://bit.ly/2JOs2Kd>

⁴ A separate law on Information System Crimes extended provisions on free speech offences in the Penal Code to online expression, <https://monitor.civicus.org/newsfeed/?country=9&category=2&category=7&category=4&category=5&category=1&category=3>

⁵ *ibid.*

⁶ The Jordan times, Jordan Media Commission begins implementing four by-laws, <http://www.jordantimes.com/news/local/jordan-media-commission-begins-implementing-four-laws>

⁷ Law Amending the Law on Societies (Law 22 of 2009).

⁸ BTI 2018, Jordan Country Report, <https://www.bti-project.org/en/reports/country-reports/detail/itc/jor/#management>

⁹ "Law on Securing Access to Information (LSATI) N. 47", <http://www.rti-rating.org/wp-content/themes/twentytwelve/files/pdf/Jordan.pdf>

¹⁰ Access to Information in the Middle East and North Africa Region, https://www.transparency.org/files/content/activity/2012_RDAAIMNA_ATIMNARRegion_EN.pdf

¹¹ Munir Idaibes, Executive Director of Sisterhood is Global, Rana Taher, Project Manager for Human Development, and Yousef Mansour, economist and Member of the Jordan Strategic Forum, interview by IRM researcher, December 2017 and February 2018.

¹² International Budget Partnership, Jordan, <https://www.internationalbudget.org/open-budget-survey/results-by-country/country-info/?country=jo>

¹³ The Constitution of The Hashemite Kingdom of Jordan, <https://bit.ly/2HLYbRP>

¹⁴ Human Rights Watch, Jordan, Events of 2017, <https://www.hrw.org/world-report/2018/country-chapters/jordan>

¹⁵ Reporters Without Borders, Jordan, <https://rsf.org/en/jordan>

¹⁶ WIPO, Jordan, Law on Press and Publications, <http://www.wipo.int/wipolex/en/details.jsp?id=11245>

¹⁷ Human Rights Watch, Jordan, Events of 2017, <https://www.hrw.org/world-report/2018/country-chapters/jordan>

¹⁸ Monitor, Tracking Civic Space, <https://monitor.civicus.org/newsfeed/2016/11/01/overview-jordan/>

¹⁹ Different stakeholders, interviewed by the IRM researcher for this report, expressed that the government should focus on removing and/or easing bureaucratic measures which slow and/or stifle the work of CSOs, such as the requirements for registering CSOs.

²⁰ Transparency International, Jordan Whistleblowing Overview, https://www.transparency.org/whatwedo/publication/jordan_whistleblowing_overview

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- ²¹ <http://www.jordantimes.com/news/local/more-cases-referred-court-anti-graft-body>, accessed 3 May 2018.
- ²² According to the OGP eligibility criteria two points are awarded for having a law requiring non-public disclosures for elected or senior officials.
- ²³ Income and Asset Disclosure Jordan, https://elibrary.worldbank.org/doi/pdf/10.1596/9780821397961_CH06
- ²⁴ Jordan Financial Disclosure Law, http://publicofficialsfinancialdisclosure.worldbank.org/sites/fdl/files/assets/library-files/Jordan_Financial%20Disclosure%20Law_2006_ar.pdf
- ²⁵ OECD, Towards a New Partnership with Citizens, <https://bit.ly/2jOs2Kd>
- ²⁶ Self-Assessment Report, Jordan, <http://www.mop.gov.jo/EchoBusV3.0/SystemAssets/pdf/MOP-pdf/OGPSelfAssesmentReport.pdf>
- ²⁷ OECD, Towards a New Partnership with Citizens, <https://bit.ly/2jOs2Kd>
- ²⁸ OECD Library, https://read.oecd-ilibrary.org/governance/towards-a-new-partnership-with-citizens_9789264275461-en#page6
- ²⁹ In a focus group conducted by the IRM researcher on 12 October 2017, at the Dead Sea for youth, the IRM researcher took note of the priorities expressed by different CSO representatives. Rawand Samara, community member and youth activist, expressed that the government should improve its implementation and application of access to information laws. The Jordan Strategy Forum (JSF) expressed that the government should make commitments to improve the quality and amount of data it releases, while undertaking external oversight on its performance, as self-monitoring is overall ineffective. Particularly with regard to fiscal matters and budget transparency, the JSF expressed there should also be a legal change to the policy that requires permits from the Department of Statistics before conducting any survey, as this procedure places a burden on institutions and citizens interested in conducting research. Other stakeholders also emphasized the demand for public disclosure of government documents.
- ³⁰ Inform, Open Government for a More Informed Society, <http://inform.gov.jo/en-us/By-Date/Report-Details/ArticleId/82/smid/420/ArticleCategory/226/2012-National-Integrity-Charter-and-Action-Plan>

III. Leadership and Multistakeholder Process

The Ministry of Planning and International Cooperation (MOPIC) is the lead institution responsible for implementation of Jordan’s 2016–2018 action plan. The intergovernmental consultation included four ministries and one independent institution, and several civil society groups were involved. Most commitments were built on pre-existing government initiatives.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in Jordan. Table 3.1 summarizes this structure while the narrative section (below) provides additional detail.

Table 3.1: OGP Leadership

I. Structure	Yes	No
Is there a clearly designated Point of Contact for OGP (individual)?	✓	
	Shared	Single
Is there a single lead agency on OGP efforts?		✓
	Yes	No
Is the head of government leading the OGP initiative?		✓
2. Legal Mandate	Yes	No
Is the government’s commitment to OGP established through an official, publicly released mandate?	✓	
Is the government’s commitment to OGP established through a legally binding mandate?		✓
3. Continuity and Instability	Yes	No
Was there a change in the organization(s) leading or involved with the OGP initiatives during the action plan implementation cycle?		✓
Was there a change in the executive leader during the duration of the OGP action plan cycle?		✓

The Ministry of Planning and International Cooperation (MOPIC) is the leading office responsible for Jordan’s 2016–2018 action plan. MOPIC was the institution responsible for the first OGP action plan, while the Ministry of Public Sector Development was responsible for the second action plan.

During September 2015, the Prime Minister announced a working group comprising representatives from national parties and civil society, including women and youth organizations. The government point of contact responsible for OGP in Jordan allocated three MOPIC staff to oversee development and implementation of the action plan. However, there is no dedicated byline in the Executive’s budget for OGP-related activities. MOPIC staff working in the implementation of the action plan are also working in the European Management Programs Unit and for the Jordanian American Relations Department, making it hard to have a clear budget estimate solely for OGP activities. As of

January 2018, MOPIC has established the Open Government Unit at the Ministry. A National Coordinator has been appointed to oversee the design and implementation, as well as consultations on the OGP action plans. The unit is tasked to assist the government of Jordan with the Open Government agenda across different sectors and line ministries.

MOPIC carried out the action plan development process and recruited different government agencies as focal points for the OGP third action plan. “ The government focal points for the 3rd OGP action plan act as a liaison between MOPIC and the relevant ministries to report over the implementation progress of the plan.” According to MOPIC,¹ some government agencies were changed over the implementation period and the Ministry was informed of these changes during their regular follow ups.

changes in government implementing agencies took place, as well as changes in the individuals responsible for each commitment, which MOPIC was not always updated on. In some cases, the responsible institution or the individual responsible for some commitments is still unknown.

MOPIC fits in well as the leading institution responsible for the action plan, based on the challenge laid out by OGP, as it has the institutional knowledge for coordinating projects which involve different ministries and departments. However, MOPIC has no legal power to enforce policy changes on other agencies within the government (see Table 3.1 on the leadership and mandate of OGP in Jordan).

3.2 Intragovernmental Participation

This subsection describes which government institutions were involved at various stages in OGP. The next section will describe which nongovernmental organizations were involved in OGP.

Table 3.2 Participation in OGP by Government Institutions

How did institutions participate?	Ministries, Departments, and Agencies	Legislative	Judiciary (including quasi-judicial agencies)	Other (including constitutional independent or autonomous bodies)	Subnational Governments
Consult: These institutions observed or were invited to observe the action plan but may not be responsible for commitments in the action plan.	4 ²	0	0	1 ³	0
Propose: These institutions proposed commitments for inclusion in the action plan.	0	0	0	0	0

Implement: These institutions are responsible for implementing commitments in the action plan whether or not they proposed the commitments.	9 ⁴	0	1 ⁵	1 ⁶	0
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In Jordan, participation in OGP was limited to nine ministries and one independent commission. While the action plan included legislative commitments concerning the amendment of the access to information act, the legislature did not participate in OGP at any level and these commitments were included due to recommendations from the previous IRM report. Table 3.2 above details which institutions were involved in OGP.

Early participation in the action plan was ad hoc. The government chose ministries to invite and assigned activities based on those who showed interest, those who had participated in previous OGP action plans, and those who were relevant to implementing the commitments.

According to MOPIC, meetings took place regularly but meeting notes were not kept. No concrete information was provided to the IRM researchers regarding the process for choosing commitments, neither by MOPIC nor by CSOs that participated in the process. Nonetheless, the government stated that meetings around selecting the commitments were based on civil society priorities and other initiatives that the government made commitments to work towards, for example the National Integrity Charter action plan⁷ and the Human Rights Plan⁸, both collaborative programs. However, it is important to state that some of the commitments were not originally developed during the time period of the action plan, but in fact had been conceived and worked on earlier, often as much as four years prior to the action plan time period.

In the end, MOPIC was in charge of drawing up the different commitments. However, it took time for the government focal points group to assign responsibilities and for ministries to be informed of their assignment. Responsibilities changed through the first year of implementation, and the focal points shifted responsibilities as they saw fit. Sometimes MOPIC was not aware of the changes that took place until much later. The IRM researcher found that, in some cases, ministries that could have been assigned to certain commitments did not take part in the process, for example, the Ministry of Telecommunications and Information Technology did not take part in the commitment to electronically link all government hospitals.

3.3 Civil Society Engagement

Prior to consultation the government established a multistakeholder forum which included representatives from the relevant governmental, public and civil society institutions, including women and youth organizations.

According to the self-assessment report, the government agencies included in the multi-stakeholder forum were: MOPIC, the Ministry of Foreign Affairs and Expatriates; the Ministry of Political and Parliamentary Affairs; the Ministry of Public Sector and Development; the Public Treasury Directorate; the Anti-Corruption Commission and the National Center for Human Rights.

Aside from the governmental and public bodies represented, the following non-governmental organizations were invited to participate:

- The National Jordanian Women Association
- The Jordanian Businessmen Association
- The Civil Society Organizations Coordination Committee
- The Jordanian National Committee for Women
- The Chairman of All Jordan Youth Commission

MOPIC was in charge of scheduling the multistakeholder forum meetings. The forum held four consultation meetings to elaborate the plan structure and general framework and reviewed drafts that came from different government areas and CSOs.

The IRM researcher reached out to MOPIC representatives to find out more about the multistakeholder forum but they did not provide any relevant documentation to assess its decision-making structure.

The timeline and schedule of the process was available prior to the consultation. According to the self-assessment report, MOPIC commissioned advertisements in Jordanian daily newspapers and through its website, although this information could not be verified by the IRM researcher.

In addition to the multi-stakeholder forum, MOPIC invited 45 CSOs to participate in a preliminary consultation meeting on 25 September 2016, and 25 of them were in attendance. A second meeting was held on 16 October 2016 where more suggestions were provided to improve the plan. Thirty non-governmental organizations and representatives from other ministries and governmental institutions attended.

MOPIC did not provide any minutes of the meetings or documentation that could allow the IRM researcher to confirm the information provided in the self-assessment report. MOPIC also did not carry out separate awareness-raising activities, other than informing participants about the OGP process.

According to MOPIC, the meetings were ad hoc and meeting notes were not kept. According to MOPIC, this was due to the lack of human resources and time constraints. CSOs interviewed by the IRM researcher confirmed that meetings took place. The IRM researcher verified that invitations were issued to CSOs and that MOPIC sent a follow-up email, that included a draft of the third action plan for CSOs to review.⁹ Additionally, MOPIC published the entire draft of Jordan’s third national action plan on its OGP website.¹⁰

Countries participating in OGP follow a set of requirements for consultation during development, implementation, and review of their OGP action plan. Table 3.3 summarizes the performance of Jordan during the 2016–2018 action plan.

Table 3.3: National OGP Process

Key Steps Followed: 5 of 7						
Before	I. Timeline Process & Availability			2. Advance Notice		
		Yes	No		Yes	No
	Timeline and process available online prior to consultation	✓		Advance notice of consultation	✓	

	3. Awareness Raising			4. Multiple Channels		
	Government carried out awareness-raising activities	Yes	No	4a. Online consultations:	Yes	No
			X		✓	
				4b. In-person consultations:	Yes	No
				✓		
5. Documentation & Feedback						
Summary of comments provided					Yes	No
						X
During	6. Regular Multistakeholder Forum					
	6a. Did a forum exist?	Yes	No	6b. Did it meet regularly?	Yes	No
		✓			✓	
After	7. Government Self-Assessment Report					
	7a. Annual self-assessment report published?	Yes	No	7b. Report available in English and administrative language?	Yes	No
		✓				X
	7c. Two-week public comment period on report?	Yes	No	7d. Report responds to key IRM recommendations?	Yes	No
		X	✓			

Table 3.4: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply to OGP.¹¹ This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for “collaborative.”

Level of public influence		During development of action plan	During implementation of action plan
Empower	The government handed decision-making power to members of the public.		
Collaborate	There was iterative dialogue AND the public helped set the agenda.		
Involve	The government gave feedback on how public inputs were considered.		
Consult	The public could give inputs.	✓	
Inform	The government provided the public with information on the action plan.		✓
No Consultation	No consultation		

3.4 Consultation During Implementation

As part of their participation in OGP, governments commit to identify a forum to enable regular multistakeholder consultation on OGP implementation. This can be an existing entity or a new one. This section summarizes that information.

The Government took a proactive approach in informing CSOs of the development of the action plan. They utilized several tools for that purpose, including surveys, workshops and advertisements.

However, the level of engagement did not reach the same level during the implementation phase. The IRM researcher attended a multi-stakeholder consultation on OGP implementation on 28 November 2017. The first half of the meeting was between MOPIC and the government implementing agencies, and the second half of the meeting was between MOPIC and civil society stakeholders. No joint meeting was held between the government implementing agencies and civil society stakeholders.

This forum on implementation was invitation-only and took place in Amman. According to MOPIC no forum was held outside of the capital city. The forum contained only professional NGOs spanning policy areas related to women's rights, rule of law, transparency, environmental protection, and freedom of the press, and it had a limited female presence. The IRM researcher noted that no watchdog organizations nor potential beneficiaries of the commitments were invited to the consultation meetings. A representative from the national chapter of Transparency International in Jordan mentioned that although they were invited to participate in the consultation meetings they did not feel the outreach overall was effective.¹²

MOPIC presented the commitment overview to CSOs in order to get their feedback on the commitments chosen but did not provide the CSO with an update on the status of implementation of commitments. Few comments were made and few questions were asked by civil society.

The IRM researcher noted the perceived distrust between civil society and the government. Some CSOs stated that meaningful and effective collaboration between CSOs and the government was hard to achieve because both sides have negative predispositions towards the other. Government representatives expressed the view that CSOs do not constructively engage and CSOs' said that they did not feel ownership over the action plan and that the government did not listen to their opinions nor gave them a voice.

3.5 Self-Assessment

The OGP Articles of Governance require that participating countries publish a self-assessment report three months after the end of the first year of implementation. The self-assessment report must be made available for public comments for a two-week period. This section assesses compliance with these requirements and the quality of the report.

The government self-assessment report was published in October 2017. The self-assessment was not published on the MOPIC website as of 15 November, therefore limiting the participation and comments of the public. Although the self-assessment report is currently available (March 2018), it was only published in English, which hinders its accessibility to local citizens and CSOs.

The self-assessment report includes a review of the consultation efforts taken during the development and implementation of the action plan. It also includes description of MOPIC's efforts to reach out to CSOs and the public. In the first year of implementation there was a governmental task force comprising liaison officers from each government agency assigned to complete the commitments.

There is little supporting evidence provided in the self-assessment to explain the completion levels for the commitments. The report does cover all of the commitments in the action plan though the information on some commitments is more complete than others. According to the self-assessment report, overall challenges or delays in implementation include the lack of a national policy for the implementation of Open Government in Jordan, the weak institutional set-up for the implementation of the OGP, and insufficient awareness at central and local levels of the concepts and application of open government and OGP. However, challenges faced within each commitment are not mentioned in the report.

Six of the commitments provide steps for the next phase of implementation. These are commitments 2, 4B, 6, 8, 9 and 10. Of the commitments that do not provide "next steps" only commitment 5 has been marked as complete.

3.6 Response to Previous IRM Recommendations

The self-assessment reports states that the IRM recommendations for Jordan's second national action plan were used as guidelines in the construction of the third action plan. Table 3.5 provides the previous report's key recommendations, the Jordanian government's response, as well as whether the recommendations were integrated into the new action plan.

Table 3.5: Previous IRM Report Key Recommendations

	Recommendation	Addressed?	Integrated into Next Action Plan?
1	To start an open OGP consultation process involving citizens, civil society and any other relevant stakeholders. This process should contain clear opportunities for public input to help decide what is included in the third action plan, as well as to oversee the implementation of commitments. Outreach and awareness efforts should also be put in place to allow for active public participation.	✓	✓
2	Each of the commitments included in the third action plan should clearly address at least one	✓	✓

	OGP value instead of focusing on internal government procedures unrelated to open government. Otherwise, it is unclear what benefits Jordan can gain from being a member of OGP.		
3	To improve the ability of CSOs to obtain funds and continue their activities, the government should remove the restrictions on pre-approval for foreign funding for CSOs within the Law of Organizations and Civil Society Organizations, especially those enforced in 2015.	×	×
4	Increasing citizens' access to information is key to improving government transparency in Jordan. To achieve this, the government needs to consider revising the Access to Information Law and the Law for Protection of State Secrets. In addition, it needs to consider improving the practical implementation of the laws to ensure all citizens have quick and reliable access to information, both through electronic and non-electronic means. The Access to Information Law must be a priority for implementation over other legislation. The law should include implications or penalties for anyone who withholds information or gives wrong information.	✓	✓
5	To improve public accountability and transparency in the provision of public services, the IRM researchers recommend that the government improves the accessibility and quality of government websites. In order to achieve this, it is recommended that civil society is involved in the development and design of public access criteria as part of the government's e-government reform strategy.	✓	✓

The government addressed four of the five IRM recommendations. Currently, all commitments of Jordan's third action plan adhere to OGP values and address a wide range of challenges. Under this third action plan, a stand-alone commitment has been developed to embark on a review process of the legislative and practice framework around access to information. Other commitments have also embodied elements of facilitating access to information, such as the commitment involving persons with a disability, which particularly addresses their access to court and the justice system. Moreover, a team composed of representatives from the Ministry of Public Service Development, the Ministry of Telecommunication, and representatives of RASED (Monitoring Body within the Hayat for Civil Society Development Center, and which happened to be the former IRM of Jordan's second action plan) has been established to assess quality of information available on government websites and to recommend areas for improvement. Commitments two, four, six and seven address accessibility to information about public services and improvements to public transparency and accountability.

The only recommendation that has not been addressed is the third recommendation

regarding the improvement of the ability of CSOs to obtain funds and continue their activities. Although the pre-approval for foreign funding for CSOs within the Law of Organizations and Civil Society Organizations is meant to organize the sector and ensure effective and transparent utilization of foreign funding, it does not appear that the government has integrated the removal of the restrictions within the Law of Organizations and Civil Society Organizations. In conversations with USAID representatives and members of the Jordan National Commission for Women, the Jordan Strategy Forum and governmental units, the IRM researcher confirmed that the reasoning behind government barriers to approve funding is to prevent money laundering and potential funding of terrorist organizations. However, both the National Coalition for Women and the Jordan Strategy Forum mentioned that removing those barriers would facilitate the implementation of public policies and development projects.

¹ Aya Saidi, International Cooperation Officer, Ministry of Planning and International Cooperation.

² Ministry of Foreign Affairs and Expatriates; Ministry of Political and Parliamentary Affairs; Ministry of Public Sector Development and The General Budget Department.

³ The Integrity and Anti-Corruption Commission.

⁴ Ministry of Culture; Minister of Media Affairs; Prime Ministry; Ministry of Public Sector Development; Ministry of Interior.

⁵ Ministry of Justice.

⁶ The Integrity and Anti-Corruption Commission.

⁷ The National Integrity Charter program was launched by King Abdullah II. Nonetheless a committee was formed to review and follow-up on progress made. The committee met and “listened to the views and ideas of key figures and community leaders all over the country, including university officials and academics, political parties, trade unions, opinion leaders, retired officers and members of the Lower House and the Senate.” http://www.petra.gov.jo/Public_News/Nws_NewsDetails.aspx?Site_Id=&lang=2&NewsID=132992&CatID=13&Type=Home>ype=1

⁸ The Human Rights plan was drafted in cooperation with the NCHR, civil society institutions and professional associations, <http://www.jordantimes.com/news/local/king-urges-full-implementation-human-rights-plan>

⁹ Nidal Mansour, Center for Defending the Freedom of Journalists, interviewed by the IRM researcher, confirmed that she was invited to some of these meetings and did provide recommendations regarding what commitments should be included in the action plan. However, she did not provide the IRM researcher with any other details on the meetings or the recommendations.

¹⁰ Open Government Partnership, <http://www.mop.gov.jo/Pages/viewpage.aspx?pageID=25>

¹¹ http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf.

¹² Abeer Mdanat, Executive Director of Rasheed (Transparency International Jordan), interview by IRM researcher, June 2018.

IV. Commitments

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's unique circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.¹

What Makes a Good Commitment?

Recognizing that achieving open government commitments often involves a multiyear process, governments should attach timeframes and benchmarks to their commitments that indicate what is to be accomplished each year, whenever possible. This report details each of the commitments the country included in its action plan and analyzes the first year of their implementation.

The indicators used by the IRM to evaluate commitments are as follows:

- **Specificity:** This variable assesses the level of specificity and measurability of each commitment. The options are:
 - High: Commitment language provides clear, verifiable activities and measurable deliverables for achievement of the commitment's objective.
 - Medium: Commitment language describes activity that is objectively verifiable and includes deliverables, but these deliverables are not clearly measurable or relevant to the achievement of the commitment's objective.
 - Low: Commitment language describes activity that can be construed as verifiable but requires some interpretation on the part of the reader to identify what the activity sets out to do and determine what the deliverables would be.
 - None: Commitment language contains no measurable activity, deliverables, or milestones.
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance are:
 - Access to Information: Will the government disclose more information or improve the quality of the information disclosed to the public?
 - Civic Participation: Will the government create or improve opportunities or capabilities for the public to inform or influence decisions?
 - Public Accountability: Will the government create or improve opportunities to hold officials answerable for their actions?
 - Technology & Innovation for Transparency and Accountability: Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?²
- **Potential impact:** This variable assesses the potential impact of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
 - Identify the social, economic, political, or environmental problem;
 - Establish the status quo at the outset of the action plan; and
 - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.

Starred commitments are considered exemplary OGP commitments. In order to receive a star, a commitment must meet several criteria:

- Starred commitments will have "medium" or "high" specificity. A commitment must lay out clearly defined activities and steps to make a judgment about its potential impact.
- The commitment's language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.

- The commitment would have a "transformative" potential impact if completely implemented.³
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of "substantial" or "complete" implementation.

Based on these criteria, Jordan's action plan contained 1 starred commitment, namely:

- Commitment 5

Finally, the tables in this section present an excerpt of the wealth of data the IRM collects during its progress reporting process. For the full dataset for Jordan and all OGP-participating countries, see the OGP Explorer.⁴

General Overview of the Commitments

The action plan focused on the areas of improving access to information, strengthening public participation and accountability, and improving governmental accountability and transparency. The government drafted most of the action plan and then presented the draft to civil society in order to collect feedback. Many of the commitments also refer to other government initiatives, including the National Integrity Charter and the Comprehensive National Plan on Human Rights, as well as the Sustainable Development Goals and the Jordan National Vision and Strategy 2025.

¹ Open Government Partnership: Articles of Governance, June 2012 (Updated March 2014 and April 2015), https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf

² IRM Procedures Manual, http://www.opengovpartnership.org/sites/default/files/IRM-Procedures-Manual-v3_July-2016.docx

³ The International Experts Panel changed this criterion in 2015. For more information, <http://www.opengovpartnership.org/node/5919>

⁴ OGP Explorer, bit.ly/1KE2WII

I. Strengthen the Legislative Framework Governing Access to Information

Commitment Text:

The National Human Rights Plan clearly emphasized the importance of amending and enacting the Access to Information Law. The plan recognizes that the current legal framework (issued in 2007) suffers from certain imbalances while the operational plan of the National Integrity System contains a commitment to review the legislation related to the protection of the right to access information. In addition, the Jordanian Government accepted many of the Human Rights Universal Periodic Review recommendations in 2013 which stipulated the importance of revising the regulatory environment governing the right to access information. The enforcement of the law suffers from a general lack of associated procedures to the law. Furthermore, the current law is not the only legal tool that deals with access to information issues. As a result, there are technical and administrative difficulties related to the management of information across various public-sector institutions.

Objective: Harmonize national legislation and policies concerning the right to access information with international standards and best practices.

Brief description: Review the legislative system, identify existing problems in the practices and management of information systems and propose a bundle of legislative and procedural amendments.

Milestones:

1. Specialized review conducted of the Jordanian legislative system. National review team established including civil society organizations. 1/4/2017 - 25/12/2017
2. Matrix created which shows obstacles, barriers and challenges in related laws and legislation. 2/1/2018 - 2/2/2018
3. Policy paper developed which includes recommendations related to possible amendments and best practices. 2/3/2018 - 2/4/2018
4. Review package submitted to the Jordanian Parliament in order to adopt the proper amendments. 28/4/2018 - 28/6/2018

Responsible institution: Ministry of Culture

Supporting institution(s): N/A

Start date: 1 April 2017

End date: 28 June 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
I. Overall			✓		✓							✓	No	✓			

Context and Objectives

This commitment addresses the critical issue regarding the regulatory environment governing the right to access to information. According to the Global Right to Information Rating (RTI), Jordan ranks 106 out of 111 countries for the strength of the legal framework for the right to information. Jordan's "Law on securing the right to information access", adopted in 2007, has many problems,

most notably its vagueness and its overly broad exceptions regime.¹ The objective of the commitment is to undertake a review and submit proposals to Parliament to bring Jordan's legislation on the right to information in line with international standards and best practices.

The commitment contains several activities, including the creation of the National Review Team with the participation of civil society, identification of existing barriers in existing laws and regulations, developing a policy paper with recommendations, and submission of the package of proposals to Parliament to adopt appropriate amendments to the law. As written, the commitment is specific and the potential impact of the law, if applied, is transformative as it promises to undertake steps that can significantly reform the legislative framework on access to information in Jordan.

Completion

At the midterm point of the action plan, the commitment implementation has not started. According to the Ministry of Culture's Information Council, they have not been able to create the National Review Team with CSOs due to the lack of budget. Additionally, according to the Secretary of the Information Council, there is confusion regarding the assignment of responsibilities and division of tasks on this commitment within the Ministry of Culture.

Next Steps

Given the importance of this commitment in opening up government information in Jordan, the Ministry of Culture should take steps to set up the National Review Team and start the revision of the existing legislation. The IRM researcher recommends taking this commitment forward into the next action plan. It is recommended that the government clearly assigns responsibilities to the respective agencies and secures committed participation from civil society and relevant think tanks while conducting the review and developing the policy paper.

In the co-creation process for the action plan, the Center for Defending Freedom of Journalists (CDFJ) had suggested that the government review the Access to Information law taking into consideration previous recommendations and amendment drafts that have been previously tabled in Parliament.

¹ http://www.rti-rating.org/country-data/scoring/?country_name=Jordan

2. Strengthen the Facilities Available for Persons with Disabilities

Commitment Text:

The national public census conducted by the Jordan Department of Statistics in 2015 revealed that 11 percent of the population has some type disability, while 2.64 percent of the population has a physical disability specifically. The justice sector, including the courts, lacks systems and mechanisms which provide persons with disabilities with the needed information on the litigation process, applicable procedures, the necessary signs, and information on how to use court facilities in a comprehensible way (i.e. information in Braille or other simplified methods). In addition, there are no automated systems or electronic databases which can provide persons with disabilities with the ability to easily access information related to the litigation process in a way that takes into consideration their special circumstances. The absence of such information results in hindering the provision of key services to a significant segment of the population, particularly the services related to accessing justice. This commitment aims to provide information about court facilities to better allow persons with disabilities to use the courts according to the nature and type of disability.

Objective: Enable persons with disabilities to access information related to the use of the justice system.

Brief description: Provide information about court facilities to better allow persons with disabilities to use the courts according to the nature and type of disability.

Milestones:

1. Working group established comprising relevant parties, including representatives of nongovernmental disabilities organizations, and scope of work drafted for the working group.
2. Information and data system designed identifying court procedures and guidelines which should be provided to persons with disabilities in Braille language or other simplified means.
3. Test samples for documents designed to be used in a limited number of central courts.
4. Effectiveness of the documents designed for the use of persons with disabilities measured

Responsible institution: Ministry of Justice

Supporting institution(s): Higher Council for Affairs with Persons with Disability, Society for Families and Friends of Persons with Disability (non-governmental organization), USAID Jordan Rule of Law Program

Start date: 1 January 2017

End date: 30 December 2017

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
2. Overall			✓		✓						✓		Yes			✓	

Context and Objectives

This commitment aims to enable persons with disabilities to access information related to the use of the justice system. Activities under this commitment include converting all information and documents pertaining to the litigation process into Braille, as well as providing electronic formats of

the information that can be used by persons with disabilities. Through improving access to the justice system, the commitment is directly addressing the OGP value of access to information.

The potential impact of the commitment, if fully implemented, is moderate as it seeks to fill a void in the availability of information on the justice system for people with disabilities. Currently, there is a lack of mechanisms to allow people with disabilities to access various government systems. This commitment could pave the way for greater accessibility for persons with disabilities. The milestones could be more specific in terms of what documents will become accessible, however, planned activities are measurable.

Completion

The commitment is substantially completed. In the first year of implementation a working group was established comprised of governmental institutions and representatives from non-governmental organizations working on disability issues, and a scope of work was drafted. The scope of work included accessibility and reasonable accommodation in court buildings, capacity building for judges on disability access and awareness-raising for the public. The group met on 4 December 2016, and several times in 2017. The Ministry of Justice has invited relevant parties to be part of the working group, which include the Higher Council for Affairs of Persons with Disability, the Society for Families and Friends of Persons with Disability, and the USAID Jordan Rule of Law Program. The meeting notes are not publicly available but have been made available to the IRM researcher on request by the Head of Planning and Development at the Ministry of Justice.¹

So far, Braille has been used with guide boards to provide an extra service to persons with visual impairment. According to the Ministry, the guide boards were placed in the Prosecution Service and the Judicial Execution Department. They have been tested by people with disabilities to measure their usefulness. The Ministry also made a CD, both audio and visual for those with hearing impairments. The information has been collected in the Directory of Services and is available to disabled persons. The Ministry plans to work on access for other disabilities, such as motor disability, next year. The Ministry of Justice has provided photographic evidence of the use of Braille on signs in elevators and on guide boards for following up on specific issues or claims within the Prosecution Service. Additionally, a set of four trainings were held in November 2017 on the requirement for people with disabilities to access the Ministry of Justice.² A formal letter from the Ministry of Justice was directed to the President of the Appeals Court, the Attorney General, the President of the Amman Court, and the Judge of the Court, which gives confirmation for employees to attend a training in Aqaba on 20 November 2017 to learn about how to communicate with those with disabilities.

The USAID Rule of Law Program³ works in parallel with the Higher Council and the Ministry of Justice and is currently working on the “Rule of Law” project for the Ministry of Justice to be a friendly and accessible court for people with disabilities. To test the effectiveness of the new resources, the USAID Rule of Law Program held focus groups with people with disabilities in order to discuss their challenges and problems regarding access to justice. They also conducted a study on this topic during the first year of implementation.⁴

Early Results

The working group conducted a mapping of data and tools available within the court system. This led to designing an information and data system identifying court procedures and guidelines which should be provided to persons with disabilities in Braille. Their next steps are to conduct a study on how to increase access for people with other disabilities, including those with mobility problems or deafness. This work has not been completed due to budget limitations. A plan is being developed which includes trainings for judges and employees on the rights of people with disabilities. The USAID Rule of Law Program representative confirmed that the government will be working towards making resources available to citizens with a variety of disabilities, including motor, hearing, and visual impairments.

Next Steps

The commitment lays a good foundation for increasing access to information for people with disabilities. If the commitment were to be carried forward into the next action plan, it could be continued in three ways—by expanding the access to documents for people with disabilities and making them available in more courts, increasing the types of documents available to address more types of disabilities, improving infrastructure and making the court buildings more accessible.

The commitment must have clear, measurable milestones which would result in tangible outcomes in increasing the access to information for people with disabilities. For example, specifying which types of documents will be available and stipulating a specific number of courts that will make the resources available. Also, it is recommended to specify which disabilities the developed resources will benefit, for example, physical disabilities like deafness, blindness, or paraplegia. Additionally, a commitment could also focus on improving the availability of resources for those with restricted mobility to obtain information on which courts have ramps and elevators available for their use.

¹ Samia Jaber, Head of Planning and Development, Ministry of Justice, telephone interview on 29 December 2017.

² The Ministry has provided the agenda and the name of the facilitator for each training, held on 2, 6, 13, and 20 November 2017.

³ Rawashan Alkurdi, the focal point of the USAID Jordan Rule of Law Program, telephone interview, 21 November 2017.

⁴ The IRM researcher was informed that the study results were not published and that they were not authorized to share them.

3. Strengthen the Framework Governing Freedom of the Media

Commitment Text:

Both the National Human Rights Plan and the National Integrity System's Operation Plan affirmed the need to review and revise the legislative framework governing the work of media outlets and the harmonization of national legislation and policies concerning freedom of expression and freedom of opinion within the provisions of the Constitution. In addition, there is a need to take measures to address issues related to the licensing of media outlets and to regulate the media sector in a way that strengthens the right to freedom of opinion and expression and ensures the public's right to know. This commitment aims at addressing the effects stemming from the rapid expansion of the media sector, the emergence of electronic media on a widespread scale, and the need for regulatory and legislative tools that correspond with such growth.

Objective: Ensure the independence of the media and protection of the right of expression.

Brief description: Design and implement a technical framework to define best practices that should be applied to strengthen the freedom of the press. This shall include the creation of a package of legislative amendments to be submitted to the Parliament.

Milestones:

1. National forum established with a consultation role to assist stakeholders in the area of freedom of the media (the government, media organizations, civil society, unions and experts)
2. Recommendations and suggestions collected related to improving freedom of the media from all available resources.
3. Mechanism established to engage the public in discussions related to the freedom of the press (an interactive electronic forum).

Responsible institution: Jordan Media Commission (formerly assigned to Ministry for Media Affairs)

Supporting institution(s): N/A

Start date: 1 January 2017

End date: 30 June 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
3. Overall		✓				✓				✓			No	✓			

Context and Objectives

This commitment seeks to address the problems associated with the weaknesses governing freedom of the media. The approach of the commitment is to design and implement a technical framework that will identify best policies and practices that should be applied in order to strengthen the freedom of the press, as well as to create a mechanism by which to engage the public in discussions concerning freedom of the press.

The regulatory reform of media and defamation laws is a necessary step toward good governance and development in Jordan. Jordanian insult laws and criminal libel laws are considered

disproportionate in terms of international standards on legitimate limits of freedom of expression. Such laws can artificially protect officials from being scrutinized by media or the public, which can have a negative effect on freedom of expression and good governance in the long run. Based on UNESCO's recommendations,¹ a thorough decriminalization of defamation laws is necessary in any regulatory reform process that seeks to shape development through enabling critical debate.

The commitment is relevant to civic participation as it creates opportunities for citizens, media organizations, unions and CSOs to inform and influence freedom of the press legislation. However, the commitment text is too broad and does not contain specific outcomes for improving a currently challenging operating environment for the media. Moreover, the commitment text does not include clearly verifiable milestones and it is not possible to judge if these activities, even if completed, would ultimately strengthen the operating environment. A national forum is a step in the right direction, as is collecting recommendations and feedback from stakeholders. However, there is no mention of how the feedback would be used to improve the media environment. Therefore, the potential impact of this commitment is minor.

Completion

This commitment has not started. This commitment was originally assigned to the Ministry of Media Affairs who passed it on to the Jordan Media Commission in November 2017. No information or progress has been reported.

Next Steps

It is recommended that the next action plan includes a new commitment which effectively improves media freedoms and the legislative framework surrounding freedom of expression. The government should consult with relevant stakeholders to develop a commitment which includes specific steps and milestones to achieve. It is also important that the government addresses the recommendations and best practices of international organizations on this matter, while adapting them to the realities and challenges of Jordanian society.

In order to increase press freedoms, there should be a legal review of the Anti-Terror Law² and the Press and Publications Law³ incorporating a diverse representation of members of the press, including independent journalists, human rights activists, lawyers and legal researchers. The government should also allow people in violation of media laws to be tried in civil courts, which are seen as being fairer. Joining the Jordan Media Commission should also be optional or free, ideally both.⁴

Moreover, independent journalists are calling for the removal of the legal requirement for online media to register and obtain licenses from the Press and Publications Department, as this is seen as a serious violation to freedom of expression and human rights, and allows the government to indiscriminately and arbitrarily enforce rules.⁵

¹ Analysis of the Press and Publications Law, <https://en.unesco.org/sites/default/files/updatedjordan.ppl-analysis.16-05-18ls-1.pdf>

² Jordan Anti-Terrorism Law 2006, <https://bit.ly/2FKDFzu>

³ WIPO, Jordan, <https://bit.ly/2rmZQHv>

⁴ Open Budget Survey 2017, Jordan, <https://www.internationalbudget.org/wp-content/uploads/jordan-open-budget-survey-2017-summary-english.pdf>

⁵ <https://bit.ly/2rmZQHv>, accessed 4 May 2018. For more information, please visit: <https://www.igmena.org/The-Fake-Liberalization-Effects-of-Freedom-of-Speech-In-Jordan->, accessed April 2018.

4. Launch and Enhance the Complaints Registration System and Follow-Up Mechanisms to Deal with Complaints in a Serious Manner and Refer them to the Judiciary

A) Complaints and Grievances Related to Violation Committed Against Citizen

Commitment Text:

This commitment addresses the number and diversity of mechanisms that should receive and follow up on citizen complaints. The drafters of the National Human Rights Plan realized the scope of problems that may stem from the diversity of mechanisms. The plan calls for the establishment of an electronic database, which contains all complaints registered in Jordan. At the same time, the commitment seeks to raise the level of seriousness in receiving and following up on complaints, in addition to activating accountability options including judicial accountability when necessary.

Objective: Make the complaints and grievances mechanism more available to citizens in a more effective and organized fashion.

Brief description: Establish a unified electronic citizen complaints database, which citizens can use to follow on the actions taken regarding such complaints at all stages, maintaining gender equality in the use and administration of this system.

Milestones:

1. Instructions issued by the government to its related bodies and institutions directing them to work together to establish a complaints database and to name a governmental department to manage the data-gathering process, define the specifications of the database system, and establish linkages between the various related institutions within the database framework.
2. Database's functional system designed and its technical development completed.
3. Sample testing performed to the database functions with the participation of civil society institutions, unions and certain universities, provided that the database system shall allow the following:
 - 3.1 provide citizens with the ability to access the complaints database.
 - 3.2 enable citizens to electronically follow-up on the procedures taken at all stages of the complaints process.
 - 3.3 enable citizens to register their notes on the complaint follow-up process.
4. Decision issued by the Prime Minister requiring government institutions to publish a link to the database site in a visible location within offices and on websites.

Responsible institution: N/A

Supporting institution(s): N/A

Start date: 1 January 2017

End date: 30 November 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
4A. Overall			✓			✓		✓		✓			Yes	✓			

Context and Objectives

This commitment aims to increase the responsiveness to citizens' complaints, while also making it easier for citizens to register their complaints through a unified database. The commitment is of medium specificity as it does not clearly spell out how the government will process and respond to citizens' complaints, nor how the system will be built and managed.

The commitment is relevant to the OGP values of civic participation and technology and innovation. Jordan already has a central complaints system in place, which was regulated and published in 2016 in the Official Gazette (Issue N. 5430).¹ Although it is not explicitly stated in the action plan text, according to the government, this commitment entails expanding the complaints system to reporting human rights violations as referenced in the National Human Rights Plan. This represents an added value and the potential impact is minor.

Completion

The commitment was not started in the first year of the action plan implementation.

Next Steps

The IRM researcher recommends to clearly spell out the mechanism and procedures for responding to the human rights violations reported through the system.

¹ The act that regulates the central complaints systems was published in the official Gazette of the Hashemite Kingdom of Jordan Issue No. 5430 under "Government Services Improvement by law No.156 of 2016".

B) Complaints Related to Governmental Services and the Surrounding Environment of its Provision

Commitment Text:

This commitment contributes to the promotion of the complaints mechanisms by providing central complaint registration windows along with windows available in governmental departments with the assurance of a central window dedicated for registering complaints related to governmental services and the surrounding environment of providing these services.

Objective: Provide additional channels to receive complaints submitted by citizens and those who deal with the government on a broader level and in a more organized manner.

Brief description: Develop an electronic system for managing registration of complaints and grievances related to services delivery and the surrounding environment of provision. Address complaints and find proper solutions based on justice, equality and transparency.

Milestones:

1. Legislative system (regulation/instructions) issued which institutionalizes the existence of a central system to receive complaints related to governmental services.
2. Launch an Electronic complaints reception system related to services and the surrounding environment of their provision.
3. System made available for receiving complaints and also made available as a mobile phone application through the Ministry of Public Sector Development website/the Jordanian Government Electronic Portal.
4. Workshop held with the participation of civil society institutions and other concerned parties to explain the system and its functions.

Responsible institution: Ministry of Public Sector Development

Supporting institution(s): Prime Ministry and all government ministries and departments, National Communication Center, Citizens and CSOs

Start date: 1 January 2017

End date: Ongoing

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative	Yes	Not Started	Limited	Substantial	Complete
4B. Overall			✓			✓		✓		✓			Yes				✓

Context and Objectives

Commitment 4B seeks to provide additional channels for submission of public complaints related to governmental services and the surrounding environment of providing these services. The commitment is relevant to OGP values of civic participation and technology and innovation as it provides a mobile phone application as an additional channel for submitting complaints.

This commitment contains specific activities that are overall objectively verifiable, but it does not contain clearly measurable deliverables for achievement of the commitment's objective. If fully implemented the commitment could have a minor potential impact. The central government

complaints management system was established prior to this action plan (on 11 April 2010). As written, this commitment could only marginally increase the ability of the public to report complaints by using additional channels.

Completion

According to the information received from the Ministry of Public Sector Development, the commitment is completed.¹ Although the central complaints management system existed before the beginning of the action plan,² a mobile phone application was launched and a CSO workshop was conducted.³ Also, an extra feature has been added to the platform which allows the upload of photos and files when submitting a complaint. The government first introduced an amendment to the existing “Development of Governmental Services” by law which stipulated the creation of a central complaints system. All government departments were advised to add a link to their websites, which has been verified by the Ministry of Public Sector Development.

Currently the complaint system is accessible through the Ministry of Public Sector Development’s website and the Government Electronic Portal, as well as the Bekhdmaticom (At Your Service in Arabic) mobile application. Previously, only a call center, website and e-government platform were available. The Government Electronic Portal contains a list of all government applications, including Bekhdmaticom. Recently, the application became available in both English and Arabic, and works on Android and iOS systems.

A workshop was organized by the Service Regulation Department on 23 July 2017 and seven CSOs attended: Al Hayat Center-RASED, the Human Rights Center, King Hussein Institution, Jordan Transparency Center, Rasheed Center for International Transparency, Amman Center for Human Rights Studies and the National Committee for Women’s Rights. This activity was completed on time according to the action plan schedule.⁴

The Ministry and the Rasheed Center also collaborated on a guide for citizens to report corruption cases; the Ministry asked the Rasheed Center to add information to their citizen guide about the complaints system and the mobile application, as well as how to get help on the application. The Ministry of Public Sector Development took into account their suggestions. Some of the suggestions from civil society organizations regarding improvements to the mobile application were: 1) people should be able to upload an image or documents to the application when they complain. This suggestion was followed up and the option was added to the app; and 2) the application should be available in multiple languages (Arabic-English). This suggestion was also accepted and implemented.⁵

The promotional campaign began on 8 October 2017 and was set to end by 8 December 2017. It included advertisements on Ro’ya TV, Jordan TV, Radio Rotana, mobile SMS and government electronic websites and street banners. The advertisement was provided to the IRM researcher, as well as the request for service for Jordan TV. Posters were printed for the mobile application appearing on the government website, ministry websites, and posted in the ministries.

Early Results

According to a mid-year internal report provided to the IRM researcher by the Ministry of the Public Sector Development, in 2016 the number of complaints registered was 1,843. The number of complaints recorded and addressed up to the second quarter of 2017 was 788.⁶ According to application stores, the mobile application has been downloaded more than 1,000 times.

Since the launch of the mobile application, the government reported an increase in the number of complaints submitted, as reflected by monthly internal government reports submitted to the IRM researcher. These reports contain information regarding: the number of complaints submitted; a breakdown on types of complaints and government units; and answer rates. In March 2018, 44 percent of complaints were submitted through the mobile application, 51 percent through the national call center and 5 percent through the website.

An expert on web development⁷ described the mobile application as user friendly and valuable. He also stated that the application has many helpful features, such as the option of anonymously filing a complaint or sending a suggestion, and requesting information from governmental institutions.

Next Steps

The IRM researcher recommends this commitment to be taken forward into the next action plan with specific indicators on monitoring uptake of the app, follow-up to the complaints and publication of information on resolved cases. It is recommended that the government publishes reports and information on the topics, the number of received complaints and the status of the government response.

¹ Noor Dweiri, Monitoring and Evaluation Unit and Bilal-Hindi, Head of the Government Complaints Unit, Ministry of Public Sector Development, telephone interview by IRM Researcher, 27 November 2017.

² The act that regulates the central complaints systems was published in the official Gazette of the Hashemite Kingdom of Jordan Issue No. 5430 Under “Government Services Improvement bylaw No.156 of 2016”.

³ Ministry of Public Sector Development, <http://www.mopds.gov.jo/en/Pages/Side%20Nav/Government-Complaints-Unit.aspx?MenuItem=4>

⁴ The IRM researcher was able to verify this workshop through meeting notes and an attendance sheet provided by the Ministry of Public Sector Development.

⁵ In-person interview with Ragheb Shraim at the offices of Al Hayat Center on 12 February 2018.

⁶ Although this data was shared in a meeting with the IRM researcher, the report was not provided.

⁷ Ahmad Obaidat (Web Developer, 7awi Digital Publishing and Marketing), interview by IRM researcher, 23 February 2018.

★ 5. Issue the Requisite Regulations and Instructions to Implement the Decentralization Law and Hold Governorate Council Elections in 2017

Commitment Text:

Before initiating a decentralization process, the central government institutions were in charge of developing plans for the various provinces or governorates from the outside in a manner that does not correspond with the principle of enabling the citizens of these governorates to make decisions related to their daily lives. This commitment, interpreted through the reinforcement of decentralization in government performance, shall enable the citizens in the governorate to become the decision-maker in determining expenditures related to industry, education, vocational training or other areas.

Objective: Enable citizens to participate in the planning for their future and defining their priorities.

Brief description: Issue the regulation related to the governorate council elections and conduct the elections in 2017.

Milestones:

1. The Council of Ministers adopt a draft regulation of the electoral constituencies for the provisional council elections.
2. Governorate council internal regulations adopted
3. Campaign launched to explain the decentralization law and the governorate council elections procedures:
 - 3.1 conduct a number of training programs and educative workshops related to the Decentralization Law across the Kingdom targeting groups according to the awareness raising plan including, but are not limited to: youth, women, associations, civil society organizations, public and private university students, political parties, local communities and persons with disabilities (the activities shall be performed by the Ministry of Political and Parliamentary Affairs).
4. Governorate council elections conducted

Responsible institution: Ministry of Interior

Supporting institution(s): Ministry of Political and Parliamentary Affairs, Ministerial Committee on Implementing Decentralization, Government Decentralization Support & Liaison Unit

Start date: 1 January 2017

End date: 30 March 2017

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
★ 5. Overall			✓			✓						✓	Yes				✓

Context and Objectives

This commitment addresses the problem of a highly centralized system in Jordan, with all of the political power concentrated in the central government. The commitment attempts to shift more power to the local level through governorate council elections in order to foster political participation.

Jordan's government is characterized by a high centralization of political power and administrative organization, and tribal affiliations continue to have a strong influence over political life. The OECD has recommended Jordan to decentralize power and provided several recommendations¹ which include revising the rules and regulations that hamper the emergence of more open government and enhancing coordination across all levels of government in the national planning and development process.

The commitment contributes to decentralization reform by creating the opportunity for citizens to engage in the democratic process at the local level. The ultimate purpose of the commitment is to develop the internal regulations to implement the Decentralization Law and hold municipal council elections in 2017. Activities proposed within this commitment include adopting the necessary regulations for decentralization and launching a campaign to explain the governorate council elections procedures, and conduct training programs and educational workshops across the Kingdom. The activities seek to inform citizens of the decentralization law and raise awareness of the elections. The first three milestones require some inference regarding what the deliverables would be and how the process would look, though they are objectively verifiable.

The commitment corresponds with the OGP value of civic participation, granting decision-making authority to citizen-elected local governments. If fully implemented as written, the potential impact of this commitment would be transformative as it would be the first-time citizens could participate in local elections in the context of a highly centralized country. The creation of elected councils in municipalities and governorates could give citizens a stake in the decisions that affect their daily lives as ministries in Jordan deliver public services through directorates at the governorate level.

Completion

In the first year of implementation the commitment was completed, with council elections taking place on 15 August 2017.

According to the Government Self-Assessment Report, by November 2016 the Council of Ministers adopted the system to allocate electoral constituencies for the provisional council elections, and the Ministry of Interior adopted the governorate council internal regulations.

A formal letter written on 28 April 2016 from the Ministry of Interior to the Prime Minister directed him to form and chair a committee comprised of the ministers of the Ministries of Planning and International Cooperation and for Public Sector Development, the Minister of Municipal Affairs, the Minister of Finance, the Minister of State for Legal Affairs, and the Minister of the Interior. These members made up the directive committee.

The executive committee was chaired by the General Secretary of the Ministry of Interior and the general secretaries of other ministries. Both of these committees contributed to developing the internal regulations for implementing the decentralization law. According to the Ministry of Interior² they released a plan for decentralization as well, explaining the law. The official Gazette published in 2016 (Issue 5811), contains a detailed list of the governorates, districts and number of seats open for election.

The Head of Associations Unit³ at the Ministry of Political and Parliamentary Affairs was responsible for the trainings and workshops implemented. The Head of the Decentralization Law Support Unit⁴ provided the IRM researcher with the following information on the number of trainings held:

- 30 trainings were held for relevant ministries
- 12 workshops were held in the municipalities for administrative leaders, directors of directorates, mayors, and civil society

- 100 awareness sessions were held throughout the municipalities
- 26 open days were held for youth at public and private universities
- More than 300 leaders of youth centers were trained
- 194 awareness sessions were held at youth centers in cooperation with the Ministry of Youth
- 24 workshops were held with the focus on strengthening women's participation in elections

Additionally, the ministry carried out awareness campaigns as well as workshops to explain the decentralization law and the governorate council election procedures; the government also provided potential candidates with resources meant to familiarize them with the roles of the elected council.

According to ActionAid⁵ the ministry initiated a coordination meeting with all the local and international organizations interested in working on local elections. With their coordination, steering committees were formed to oversee implementation and ensure there was no overlapping or duplication in the work of the organizations. ActionAid worked with the Ministry of Political and Parliamentary Affairs and the Ministry of Youth to conduct educational sessions in 26 universities around Jordan, reaching 2,600 students. It consisted of discussions between youth and ministry representatives on the decentralization law, its purposes and voting procedures during elections. The sessions also stressed the importance of youth running for election and the beneficial effects of having this youth platform. In addition, ActionAid worked with the ministry on an online and offline educational campaign called "Youth Participates" including social media coverage, local television and radio coverage, a mobile application for iOS and Android, governmental websites, banners, fliers, handouts, and a bus that visited universities, malls and youth centers with volunteers that gave educational sessions to people on the procedures of voting, shared information on polling places, and distributed booklets on the decentralization law.

Early Results

The internal regulations were developed, municipal council elections took place, and council leaders were elected. According to the report "The Municipal and Governorate Council Elections of August 2017: Decentralization Efforts in Jordan" by Konrad-Adenauer-Stiftung, the overall voter turnout for the 2017 elections was 31.7 percent.⁶ Turnout was highest in Ajloun (62.8 percent), Mafraq (59.8 percent), and Karak (57.14 percent).⁷ However, the turnout in major cities was much lower; in Amman, only 16.08 percent of eligible voters participated in the elections.⁸

To explain low voter turnout, a survey that was carried out for the International Republican Institute (IRI) by the Centre for Insights in Survey Research found that Jordanians were "uninformed and ill-prepared" for the upcoming local and municipal elections. The survey reveals that a majority of Jordanians are unaware of the decentralization reforms, which indicates a lack of understanding of the institutional changes that will be implemented in the upcoming local elections.⁹ The youngest candidate¹⁰ elected in the local elections mentioned that when she was campaigning, she often had to first explain to constituents the Decentralization Law and how it works before she could campaign and encourage citizens to vote for her.

Next Steps

The Decentralization Law has the potential to be transformational, though it can only have this effect if people know about the goal of decentralization and the opportunities that it offers for citizen empowerment. The success of these efforts will also depend on whether power genuinely shifts from the centralized system to the local level and if the corresponding decision-making powers and budgetary attributions follow suit.

It is recommended that the government continue to carry out decentralization efforts while strengthening the focus on citizen education and raising awareness of participation in elections. The government should also focus on following the elected councils through their first year of service and assist in building their capacities to successfully execute their responsibilities. This would also be an opportunity to enhance public accountability.

According to ActionAid¹¹ the ministry has made a tremendous effort to reach and increase the knowledge of the decentralization law and procedures. However, there was no information on what the impact of local elections in Jordan would be and how citizens could engage with the newly-elected authorities. Finally, ActionAid also recommended that the ministry should develop a monitoring and evaluation mechanism with clear indicators to measure results for the next phase of decentralization, in addition to documenting and publishing challenges that council members face.

¹ OECD, Jordan, Towards a New Partnership with Citizens, <https://www.oecd.org/mena/governance/Jordan-Highlights-2017.pdf>, accessed April 2018.

² Sultan Hassan, Judiciary Unit Director, Ministry of Interior, interview by IRM researcher, 4 December 2017.

³ Ra'ad Hasanat, Head of Associations Unit, Ministry of Political and Parliamentary Affairs, interview by IRM researcher, 6 December 2017.

⁴ Nayfa Lawzi, Head of Decentralization Law Support Unit, Ministry of Political and Parliamentary Affairs, interview by IRM researcher, 13 December 2017.

⁵ Morad Al Qadi, Youth Civic Engagement Project Manager, ActionAid Jordan, interview by IRM researcher, 16 February 2018.

⁶ The Municipal and Governorate Council Elections of August 2017, http://www.kas.de/wf/doc/kas_49922-1522-1-30.pdf?170914085356

⁷ *Ibid.*

⁸ Rased,

<https://iec.jo/sites/default/files/%D8%A7%D9%84%D9%85%D9%84%D8%AE%D8%B5%20%D8%A7%D9%84%D8%AA%D9%86%D9%81%D9%8A%D8%B0%D9%8A.pdf>

⁹ IRI, Survey of Jordanian Public Opinion, http://www.iri.org/sites/default/files/2017-7-12_jordan_poll_slides.pdf

¹⁰ Arwa Jarhie, youngest candidate elected in Aqaba, interview by IRM researcher, 6 October 2017.

¹¹ Morad Al Qadi, Youth Civic Engagement Project Manager, ActionAid Jordan, interview by IRM researcher, 16 February 2018.

6. Develop Healthcare Services and Automate the Healthcare Sector Through Electronic Linkages

Commitment Text:

The Ministry of Health hospitals lack an automated information system and integrated applications which would strengthen the level of health services provided to citizens, improve the performance of hospitals and control its expenditures. Despite the large number of citizens who receive services at these hospitals, they still lack the electronic interconnectivity which minimize their ability to provide speedy and quality services.

Objective: Strengthen the infrastructure of Ministry of Health public hospitals to increase their ability to provide health services to citizens by connecting such hospitals with information systems and with other medical centers.

Brief description: Provide the internet connection infrastructure needed to connect the Ministry of Health hospitals and other national health and medical centers.

Milestones:

1. Field survey conducted by the Ministry of Health and its various institutions targeting the characteristics related to each geographical area where public hospitals are located to determine the nature of the needed health services in such areas.
2. Requirements defined for data and information entry in the various medical centers.
3. Assessment conducted to measure the hospitals' technical abilities in terms of equipment and expertise.
4. Medical staff trained, including doctors, on how to complete and enter electronic forms into the automated system, such as death notification forms and the international coding for death reasons. Furthermore, provide training to medical staff on how to report on cases of violence against women (according to Mizan organization for Human Rights.)
5. Internet connection infrastructure provided, such as equipment and networking across all Ministry of Health hospitals.

Responsible institution: Ministry of Health

Supporting institution(s): Ministry of Transportation, Public Service Bureau, Public Procurement Bureau, Ministry of Telecommunications

Start date: 1 January 2017

End date: 30 August 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
6. Overall			✓		Unclear					✓			Yes			✓	

Context and Objectives

This commitment seeks to address the problem of the lack of an automated information system for hospitals and the lack of interconnectivity which hinders the ability to provide speedy and quality services. The overall objective of the commitment is to strengthen the infrastructure of the Ministry

of Health and connect public hospitals with information systems and other medical centers to increase their ability to provide health services to citizens. If completed, citizens could receive medical services faster and would benefit from ministry hospitals being connected, having an automated information system, and being able to share information.

The commitment, while no doubt important for the healthcare sector in Jordan, is not relevant to OGP values. As written, the electronic interconnectivity system makes storing and retrieving data about patients possible. However, this system is only for internal use by hospitals and the Ministry of Health and it does not have any public-facing element.

The provision of internet infrastructure and the internal network for health centers was completed prior to the implementation of the action plan. The Hakeem program, the driving force behind enabling the Electronic Health Record (EHR) system to automate the public healthcare sector in Jordan, was established in 2009. A news release on the EHS website from January 2017 states that the Hakeem program has already been established in 101 hospitals and medical centers in Jordan.¹ Therefore, the commitment potential impact is minor, as it only continues an existing initiative by strengthening internet infrastructure and conducting field surveys.

Completion

The completion level of this commitment is substantial. Milestone 3 on the assessment to measure hospitals' technical abilities was completed on 15 September 2017. Milestones 1, 2, 4 and 5 on: a) the conduction of field surveys; b) trainings; c) the requirement of data information entry; and d) the provision of infrastructure, are well advanced but still in progress.

According to the self-assessment report, the Ministry of Health first conducted a field survey to determine the nature of necessary health services in a given geographical area and then defined the requirements for data and information entry in medical centers, followed by an assessment conducted to measure hospitals' technical abilities. The field survey was completed in February 2017 for four hospitals, 66 health centers, and 10 health directorates, and it is expected to be completed in 2020 for all hospitals and health centers.²

Requirements of the data and information entry in medical centers were defined and completed on 30 August 2017. The Ministry of Health renewed 866,950 health insurance cards and the process of interconnection with the Civil Status Department was completed.³

Four trainings for medical staff on how to complete and enter electronic forms into the automated system and how to report cases of violence against women were conducted: Two in the north, one in the center, and one in the south, in April and May 2017. Each training included 20-22 trainees, with a total of 80. Four more trainings were conducted in September and October 2017, with one in Irbid and three in Amman.⁴ Trainings documentation was not provided to the IRM researchers.

Finally, computers were distributed to all centers and the system was built for monitoring deaths of mothers. Ministry of Health has received funding from the World Health Organization to acquire 1000 tablets in all health facilities that are responsible to report such cases. Development and training on the electronic monitoring system for communicable and non-communicable diseases began in January 2014 and will continue into December 2020.⁵

Early Results

Thus far it is not clear whether the commitment's outputs are starting to solve the overarching problem of connectivity and infrastructure due to the size of the initiative. Based on interviews conducted, the government has been implementing trainings for medical staff on reporting cases of violence against women and reporting maternal deaths. A report was provided to the IRM researcher stating that 13 hospitals have received trainings. So far, there has not been any participation by civil society in this commitment.

Next Steps

Following the implementation of the automated system, the IRM researcher recommends that in the next action plan the government focus on commitments that are relevant to OGP values and include

public-facing components. A commitment that promotes civic participation and public accountability in the healthcare sector could be carried out. The commitment could include different activities, such as the creation of citizen advisory councils on healthcare and budget priorities, and the establishment of citizen reporting and feedback mechanisms.

¹ EHS announces its plan for 2017, <https://ehs.com.jo/media/news/ehs-announces-its-plan-2017>

² Dr. Raja Badarneh, OGP Focal Point, Ministry of Health, interview by IRM researcher, 27 November 2017.

³ This information was provided in a telephone conversation between the IRM researcher with the IT Department of the Ministry of Health, Maid Al Ameer (Focal Point), without providing further documentation or verification. 2 December 2017.

⁴ Dr. Raja Badarneh, OGP Focal Point, Ministry of Health, telephone interview on 27 November 2017.

⁵ Documents about technology purchases were provided to the IRM researcher but some of them were dated in 2012 and 2013.

7. Develop an Interactive Observatory Forum for Citizens to Monitor the Implementation of the Government's Plans and Progress

Commitment Text:

This commitment primarily seeks to ensure that Jordan's Plan seriously and comprehensively implements the e-Government project. It aims to establish a mechanism within the project that will provide an outlet for citizens to view the Government's implementation of its plans, procedures and projects in an interactive manner.

Objective: Strengthen the public's interactive monitoring of government performance and its implementation of its various procedures, plans and projects.

Brief description: Launch a central electronic portal for citizens, members of the Parliament, donors and investors to follow up on the implementation progress.

Milestones:

1. Central electronic portal launched (www.plan.gov.jo) as part of Jordan's 2025 program.
2. Procedures adopted to compel various public institutions to transfer information through the portal.
3. Liaison officers allocated to coordinate between various public institutions and the portal's administration.
4. Regular schedule established for transferring information through the portal.
5. System designed for regular evaluation by citizens of the efficacy of the information and data provided through the portal and user-friendliness through regular questionnaires posted on the website and through the use of field opinion surveys (random samples, phone interviews, visits to public institutions).

Responsible institution: Prime Ministry

Supporting institution(s): Ministry of Planning and International Cooperation

Start date: 1 January 2017

End date: Ongoing (original end: 20 August 2017)

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
7. Overall			✓		✓			✓		✓			No	✓			

Context and Objectives

This commitment seeks to introduce public monitoring of government projects and plans. The commitment proposes to launch a central electronic portal for citizens, members of Parliament, donors and investors to follow up on implementation progress. The commitment provides activities that are objectively verifiable but does not describe the desired outcomes, which programs will be targeted or how inputs will be used.

This commitment relates to the OGP values of access to information and technology and innovation. It promotes the disclosure of government progress on public policies and incorporates citizen input through surveys. The commitment is not relevant to civic participation and public accountability, as it

does not envisage opportunities for citizens to influence public decisions, nor does it create any measure to hold government officials answerable to their actions.

A steady stream of information available online at any given time would give citizens a better idea of what was going on in their government and how their government is working to solve their problems in a timely and efficient manner. Nonetheless, the scope of the commitment is too far-reaching to be attainable. According to the Jordan Open Source Association, the current commitment seems like a public relations strategy to give general updates on the progress of different government units. Moreover, the commitment does not describe how citizen feedback will be gathered and responded to. Therefore, the potential impact of this commitment is minor.

Completion

The commitment implementation has not started. The lead implementing agency, the Prime Minister's office, has the technological infrastructure that the observatory forum would be created on. At the government focal point committee meeting organized by the Ministry of Planning and International Cooperation (MOPIC) on 28 November 2017, the implementing government unit shared that the commitment is part of the greater Jordan 2025 plan, of which some objectives have already been operationalized and relevant software has been developed. However, according to the statement, the Prime Minister's office is struggling to get the data on to the program, and approval to launch the portal has yet to be given.¹

Next Steps

It is recommended that in the next action plan the scope of this commitment is narrowed down and desired outcomes are clearly established. Also, the IRM researcher recommends that the government actively engage relevant civil society stakeholders in this process to make the commitment far-reaching yet realistic and achievable. Smaller-scale observatory forums could be established for monitoring a selected number of government programs and policies, piloted, improved, and then widely disseminated to several government agencies.

The Jordan Open Source Association recommends that a system be developed similar to the governmental system in Italy, where all ministries and public departments are legally mandated to develop and share their key performance indicators (KPIs) and work plan on a yearly basis.²

¹ Alaa Qattan of the Mega Projects Monitoring at the Prime Minister's Delivery Unit shared this information with the IRM researcher at the Steering Committee organized by MOPIC on 28 November 2017.

² Issa Mahasneh, President, Jordan Open Source Association, interview by IRM researcher, 12 February 2018.

8. Adopt the Principle of Budget Disclosure in Accordance with International Standards and Promote Transparency and Financial Disclosure

Commitment Text:

This commitment seeks to raise the level of financial information disclosure by public institutions. It also corresponds with the requirements of the Jordan 2025 document in respect to broadening the scope of financial disclosure to include municipalities, universities, Aqaba Authority and state-owned companies.

Objective: Increase the level of transparency and publication of financial statements and data.

Brief description: Issue executive instructions by the Government to oblige governmental institutions to publish financial data, including the publication of aggregated governmental accounts.

Milestones:

1. Aggregated government accounts published for 2015 to increase transparency and financial disclosure according to the Council of Minister's decisions published in the Official Gazette (Issue 5411).
2. Governmental instructions issued to all governmental institutions mandating they submit a regular timetable for disclosing their financial information.

Responsible institution: Ministry of Finance

Supporting institution(s): N/A

Start date: 1 January 2017

End date: 30 January 2017

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
8. Overall				✓	✓						✓		Yes				✓

Context and Objectives

This commitment seeks to increase the amount and frequency of fiscal information shared by the government, as well as to improve the quality of that information to comply with international standards. According to the Financial Services Volunteer Corps (FSVC),¹ Jordan has taken steps to make more information available in many different ways since 2014 and the process is still developing.

The commitment is relevant to the OGP value of access to information and it is of high specificity as the document published in the Official Gazette provides a list of the information to be disclosed (information from central government institutions and governmental units, aggregated revenues and external grants, aggregate expenditures, central government and governmental units' aggregated financial deficit and detailed budget articles).

The publication of this kind of information is important because it aggregates two budget documents which were not previously aggregated: the government ministries and the government units. If completed, the aggregated financial records would provide a full picture on government accounts,

placing the government's publishing of budget documents to be closer in accordance with IBP international standards.² However, according to the commitment text, no macroeconomic forecast data or sectorial data will be disclosed, and no participatory budgeting is promoted. Therefore, the potential impact of this commitment is moderate.

Completion

This commitment has been fully completed in the first year of implementation. The IRM researcher confirms that the Ministry of Finance published the aggregated government accounts for 2015 in May 2017 and that they are available in Arabic on the Information page of the Ministry's official website . The newly-published information includes economic descriptions and a summary of the budget in different formats in accordance with international standards. The aggregated deficit document on the Ministry of Finance's website presents the total deficit and its explanation. It also explains how the budget services the deficit. Budget aggregation makes it simpler for anyone who would like to dig deeper into the numbers, as it is easily organized.³

However, the title of the report and the link to the report on the MoF page are misleading. The information is currently titled "Aggregated Deficit," but should actually be titled "Aggregated Fiscal Information on the Central Government and Government Institutions for 2015." The report includes a detailed list of the central government institutions and governmental units, aggregated revenues and grants(external), aggregated expenditures, central government and governmental units' aggregated financial deficit and detailed budget articles. The Ministry of Finance⁴ also provided official letters sent to all governmental units informing them of a governmental portal set to launch in March 2018. This portal aims to encourage governmental institutions to submit their monthly financial reports. The Ministry of Finance has stated that one challenge they are facing is that not all institutions are responsive to the request. However, the Ministry believes that the portal will offer an easy, user-friendly mechanism for them to submit their monthly reports on time.

Next Steps

The IRM researcher recommends this commitment to be continued, to ensure the government is disclosing its financial records, simplifying information published and maintaining public accountability. Albeit a large endeavor, budget transparency is a key issue for civil society and stakeholders. Representatives from the national chapter of Transparency International in Jordan particularly emphasize the importance of understanding budget priorities and budget monitoring. In this respect, this commitment is a progressive step forward to increase fiscal transparency, which should be followed by high quality financial and non-financial information on past, present, forecast fiscal actions, performance, financial results and public assets and liabilities.⁵

¹ Danyelle Gerges, Country Director, FSVC, interviewed by the IRM researcher, 12 February 2018.

² Mohammad Masaedeh, budget expert, Partners Jordan.

³ <https://bit.ly/2Lr4tlb>, accessed 7 June 2018.

⁴ Sahar Qaran, Ministry of Finance, interviewed over the phone by the IRM researcher, 27 December 2017.

⁵ Global Initiative for Fiscal Transparency, http://www.fiscaltransparency.net/ft_principles/

9. Develop Transparent and Participatory Policies Regarding Climate Change

Commitment Text:

The Jordanian Government seeks to participate with the international community and its neighboring states in establishing the needed mechanisms to combat the emission of greenhouse gases which cause climate change through the formulation and adoption of local policies in cooperation with the civil society and the public at large.

Objective: Address climate change, its effects and means for adaptation in all services provided to the public.

Brief description: Develop operational policies on the national level to determine the effect of climate changes on Jordan and to address it in an appropriate manner.

Milestones:

1. Policies developed based on international best practices through cooperation with scientific and research centers in Jordan in accordance with the Climate Change Policy of 2013.
2. Knowledge made available to citizens through the publication of relevant information, in a manner that facilitates its comprehension, by cooperating with the daily newspapers and other media outlets and through strengthening the framework governing the national publication of the national notification on the emission of greenhouse gases in Jordan.
3. Requisite legislative measures defined, in collaboration with the Parliament, related to prevention.

Responsible institution: Ministry of Environment

Supporting institution(s): Ministry of Energy and Mineral Resources, Ministry of Agriculture, Ministry of Planning and International Cooperation, Ministry of Trade and Industry, Environment Police, Public Security Department (Vehicles Registry), Ministry of Health, Jordanian Meteorological Department, Royal Scientific Society, Ministry of Transportation, Greater Amman Municipality, Ministry of Water and Irrigation, Royal Society for the Conservation of Nature, National Center for Agriculture Research and Guidance, Hashemite University, Aqaba Special Zone Authority, Department for Public Statistic, and the Jordan Environment Society

Start date: 30 September 2017

End date: 3 June 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
9. Overall		✓			✓	✓				✓			No		✓		

Context and Objectives

This commitment seeks to formulate and adopt climate change-related policies in cooperation with civil society and the public at large. The proposal is to adopt national policies tailored specifically to Jordan to confront the impacts of climate change. As stated in the different milestones, this includes facilitating access to information about raising

awareness on climate change and protecting the environment; and including the cooperation of scientific and research communities in the development of policies.

If implemented as written, this commitment would have a minor impact in opening government and developing climate change policies as it only focuses on publishing information and promoting civic participation through scientific and research cooperation. Due to its low level of specificity, it is not clear how the commitment will provide a broader stakeholder engagement, how awareness-raising activities will be carried out and how citizens could use the information in order to protect the environment and bring about effective change. The commitment is relevant to the OGP values of access to information and civic participation, although as written in the milestones the value of civic participation is reduced to the engagement of scientific and research communities.

Completion

According to the Government Self-Assessment Report and the IRM researcher, this commitment has limited completion at the time of writing this report. Although games and engaging activities for children to learn about climate change were completed (milestone 2), the publication of information and the definition of policies on climate change (milestones 1 and 3) have not begun yet.

According to the social media pages of the Ministry of Environment, trainings were held as discussion groups with the Minister of Environment in April 2017. Policies were developed by the Ministry of the Environment and its local partners.¹ The local partners are local institutions, ministries and private sector organizations who are supporting the Ministry of Environment in this commitment.

The Ministry of Environment released a game for children called “Eco Champ”, to educate them on the issue of climate change. The game is available in the Google Play store and Apple App Store (only on mobile devices). According to the Ministry’s website, it has also conducted cleaning campaigns and tree planting campaigns. The Ministry has published videos discussing climate change policies as well as carrying out plays in Amman and Irbid.

Nonetheless, according to Government’s Self-Assessment report, milestones two and three have not technically begun yet as their start dates are 1 January 2018, though their end dates are currently “continuous”. There is a cooperation funded by the World Bank to strengthen the framework governing the national notification on the emission of greenhouse gases in Jordan. A database will be constructed with all of the partners to provide information about climate change policies and they will conduct training on the database.

Regarding milestone three, legislative measures, such as the Environmental Protection Act from 2006 which was updated in 2017, and the regulations and instructions are currently being prepared. One of these is the climate change policy. According to the Jordanian Association for the Protection of Land and Humans², they were hoping for more participatory activities through applying the laws and regulations in addition to raising the awareness of local communities and civil society institutions. The Association mentioned that more communication with civil society institutions is needed in other governorates in order to develop strategies with cooperation from representatives across the country.

Next Steps

In order to promote further collaboration with citizens and encourage public participation, the government needs to involve different stakeholders, apart from the scientific and research communities, into the decision-making process. It would also be important to establish a specific forum for citizens to voice their ideas, questions and concerns related to climate change and how the government could increase information on this subject. This could take the form of a face-to-face forum, or an online suggestion and feedback form.

The Jordanian Climate Change and Environmental Protection Society³ added that the most important priority for the government is increasing the public’s awareness of the dangers of

climate change and how to better protect the environment, especially in rural areas which may lack electricity or other vital resources. They also mentioned that the laws against littering should be emphasized and implemented correctly. They suggested that courses in public and private schools around the country could be conducted in order to raise awareness.

¹ Bilal Shaqqarin, Ministry of Environment, telephone interview on 5 December, 2017.

² Mohammed Aref Leho, the Jordanian Association for the Protection of Land and Human, telephone interview on 18 December, 2017.

³ 1. Mansour Abu Rashid, Board member and Executive Director, The Jordanian Climate Change and Environmental Protection Society, interview at JOCCEPS office on 14 February 2018.

2. Mary Bahdousheh, Board member and Secretary, interviewe at JOCCEPS office on 14 February 2018.

10. Implement an Open Data Sources Policy

Commitment Text:

By implementing the open data sources policy, The Jordanian Government seeks to facilitate access to data under the government's possession unless it is considered confidential information or a violation of privacy. Such information shall be offered freely and with no cost to its users according to a set of clear and precise conditions.

Objective: Work towards achieving transparency, enhance confidence in the government's performance and provide pioneers with the opportunity to innovate in the area of services development. Increase the participation of civil society in policy- and decision-making process.

Brief description: Implement the open data sources policy within the government and its various institutions, and evaluate the quality of data provided.

Milestones:

1. Joint committee formed for the government's open data sources comprised of representatives from the Ministry of Telecommunications and Information Technology, relevant stakeholders and civil society organizations.
2. Policy drafted governing the provision of open data sources for discussion with stakeholders including representatives of civil society.
3. Draft of final policies completed and submitted for approval to the Council of Ministers.
4. Standards announced and published for the government's disclosure of open data sources including the methods used to collect, process and store such data.
5. Tools developed and published to measure the quality of available open data sources, and related periodical reports published.
6. Program designed to measure the government departments' capabilities in publishing government's open data sources. Capacity building program implemented based on the program's assessment results.

Responsible institution: Ministry of Telecommunications and Information Technology

Supporting institution(s): Jordan Open Source Society (NGO)

Start date: 1 May 2017

End date: 30 December 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
10. Overall			✓		✓			✓				✓	Yes		✓		

Context and Objectives

This commitment seeks to make data in the possession of the Jordanian government more open and accessible by offering it freely and at no cost. The commitment proposes the implementation of an open data sources policy within government institutions. Thus, the commitment is relevant to the OGP values of access to information and technology and innovation, as it makes government-held information more available to the general public.

The activities envisioned under the commitment are of moderate to high specificity because they are all verifiable. Prior to the commitment, the government had a link on the E-Government's website called "Open Data", which included information on the unemployment rate, gross domestic products and tourism etc. However, there is a large lack of data about how public money is distributed and which programmatic areas are funded.

If fully implemented as written, the potential effect of this policy would be transformative because it lays the groundwork for the implementation of open data, and a solid change and dissemination of the government's new policy could transform business as usual.

Completion

This commitment is completed to a limited extent. Four out of six milestones have been completed (milestones 1, 2, 3 and 4) and two are still pending but still on time (milestones 5 and 6) based on the progress so far and the commitment's end dates. The last two milestones on developing tools and the implementation of capacity-building programs are critical for ensuring the success of this commitment; without their completion the progress cannot be considered substantial.

In the first year of implementation, the government has begun forming a multi-stakeholder joint committee which includes CSO, government, academic and private sector representatives.¹ A policy governing the provision of open data sources was drafted. The government provided the researcher with a copy of the Open Government Data Policy, which has not been officially published yet. To draft the policy, the government first held discussions with stakeholders, as well as a workshop with the Jordan Open Source Association. The Ministry of Information and Communication Technology then submitted the policy for public consultation, which took place from October 2016 to January 2017. The draft of the final policies was completed and submitted for approval to the Council of Ministers.

The announcement and publication of the standards for the government's disclosure of open data sources including the methods used to collect, process and store such data has been confirmed.²

Nonetheless, the developing and publishing tools to measure the quality of available open data sources and related periodical reports have not been started, and neither has the design of the program to measure the government's open data sources nor the implementation of a capacity-building program based on the results.

Early Results

Much of the work that the government has completed so far has been setting up the structure of the new open data system. Additionally, an Open Government Data Policy booklet was drafted and published in English and Arabic, a copy of which was provided to the IRM researcher. However, seeing the impact of this commitment come to fruition is not yet possible as the commitment needs to be continued in order to assess its results and level of implementation.

Next Steps

It is recommended that the commitment be taken forward and followed up in the next action plan. The next phase of implementation should include the Ministry of Telecommunications and Information Technology working with and training other government agencies, and continuing to inform government bodies of the new policies, procedures, and methodology for documenting and providing data. Much of the framework has already been developed, and including the commitment in the next action plan will give time for the framework to be applied, and tangible results to be seen.

The milestones themselves should be further clarified in order to fully measure the achievement of the commitment as a whole. The Jordan Open Source Association recommends that the government release datasets regarding public expenditure and open contracting in addition to an active cooperation with civil society to foster monitoring activity. They stated that the government should also publish datasets about government agencies' performance plans and reports, as well as the planning of public activities (like 'hackathons') with civil society to promote the use and review of these data. Moreover, they added there should be a pilot plan published by the government—in coordination with civil society—that selects and prioritizes which datasets are published.

Regarding the quality of data released, data reviews and checks that take into account different aspects (such as reliability, timeliness, openness, anonymization, usability and completeness) could be implemented. The reviews could be assessed by independent organizations from civil society, including members from academia and the technology community (data startups, data scientists and engineers).

Based on the Jordan Open Source Association³ suggestions, the IRM researcher recommends standardizing procedures regarding data collection and publication. The refinement of such standards could include additional use cases like geolocation data formats and APIs for government content. Also, it would be beneficial to involve data users in the selection and prioritization of datasets to be released. Priority datasets could include information about areas that are critical to government transparency, such as public expenditure and public contracting.

¹ The members are: Abd Alqader Aatayneh, the Director of Policy at the Ministry of Communications and Information Technology; Ahmed Abu Amara, the Director of the E-Government Program; Nada Khater¹, the Head of E-Government Strategies Section; and Batoul Al-Issa, the Head of Operations in E-Government. There are also delegates from the Royal Scientific Society of Jordan, the National Information Technology Center, the Department of Statistics and the Ministry of Planning. There are also three non-governmental representatives: one from the academic sector and the private sector and a legal advisor, Moatasem Nasir. The government provided the IRM researcher with an official letter verifying the formation of the committee, though they are waiting on confirmation from all parties involved.

² The standards have been published with the rest of the new open data policy and can be found on page 7 of the policy book.

³ Issa Mahasneh, President, Jordan Open Source Association, interview on 12 February 2018 at the King Hussein Business Park.

V. General Recommendations

Jordan's third action plan contains diverse commitments, some of which touch on important policy issues in the country. To improve the content of the next action plan, MOPIC needs to strengthen the co-creation process with civil society and prioritize areas such as FoI enforcement, the operating environment for media, public finance transparency and measures to increase public accountability.

This section aims to inform development of the next action plan and guide completion of the current action plan. It is divided into two sections: 1) those civil society and government priorities identified while elaborating this report and 2) the recommendations of the IRM.

5.1 Stakeholder Priorities

Stakeholders interviewed by the IRM researcher noted that in the current action plan they consider the access to justice system, complaints mechanisms, decentralization and local elections and participatory climate change policies to be important priorities.

Stakeholder priorities for the next action plan are:

- Increasing the amount of information available
- Improving the accuracy of statistics and providing up-to-date information
- Easing bureaucratic procedures that make government-related tasks long and tedious

5.2 IRM Recommendations

Strengthen the consultation and co-creation process

The IRM researcher recommends strengthening and improving the consultation process. MOPIC needs to move beyond engaging the same partners, allowing diversity of opinions and a wider range of expertise. Special care should be taken to bring relevant stakeholders into the conversation from the beginning, engaging in a more constructive dialogue with them so that they feel ownership of the action plan.

The following actions are recommended for the co-creation process:

- Expand consultations to interest groups that are potential beneficiaries and end-users of programs envisioned by commitments. Engaging relevant youth groups, independent media, watchdog organizations, women and citizen activists will enrich the content and development of the action plan. It is also important that consultations take place in different cities and municipalities of the country, and not solely in Amman
- Clearly distribute responsibilities among the Open Government Steering Committee in Jordan. This could help to develop standard procedures for problem identification and public consultation, as well as giving a sense of ownership among government-implementing agencies
- Strengthen awareness-raising activities, in-person and online opportunities for obtaining public input such as town-hall meetings, online surveys and focus groups
- Create a Jordan OGP website and establish a repository of documents related to the development and implementation of the action plan.¹
- Publish the self-assessment report on the government's website in Arabic, not just in English. This will help to widen its audience by reaching academia, local media, CSOs representatives and government authorities
- Provide training to government implementing agencies on: documentation, OGP requirements, data collection, and gathering information skills²

- Improve the formulation of commitments. Commitment goals should be clear, specific and relevant to OGP values
- Improve the flow of information between government departments to ensure all information is kept up-to-date on developments and new responsibilities regarding OGP.

Ensure adequate implementation of access to information

It is important that the next action plan includes commitments which adequately regulate the enforcement of the Freedom of Access to Information Act (FOIA). According to the information provided by the Center for Defending Freedom of Journalists (CDFJ), the government should pay particular attention to the recommendations and FOIA amendments drafts that are still being discussed in parliament. Taking these drafts into consideration, the IRM researcher recommends the following actions:

- Strengthen the representation of civil society in the Council of Information. The Council could include groups such as the Jordanian Lawyers Association and the Jordanian Journalists Association
- It is important that the law does not supersede any other existing legislation in force (f.i. “The Protection of State Secrets and Documents Provisional Law number 50 of 1971, still in force, is the biggest obstacle to ensuring the legal Right to Information.”)
- Reinforce open data and information disclosure by: a) increasing the availability of state-held information through the creation of portals; b) creating opportunities for CSO and the private sector to express which information they would like to see published; and c) publishing “user-friendly” data, so that the available information is easy to locate

Improve the operating environment for the media

It is important that the next action plan includes commitments that transform the operating environment for the media in Jordan. This would also require amendments to the Press and Publications Law. The IRM researcher recommends the following actions:

- Revise registration and administrative obstacles on the establishment of new websites
- Revise media outlet registration requirements and licensing practices
- Limit the use of gag orders on issues authorities deem controversial to prevent state censorship

Include commitments that strengthen public accountability

The next action plan needs to include commitments that are relevant to the OGP value of public accountability. The decentralization reform process is a good opportunity to promote these types of commitments at the local level. The IRM researcher recommends:

- Strengthening current complaint registration mechanisms, providing tracking references to close the feedback loop between the government and citizens
- Promoting citizen audits for monitoring delivery of public services

Ensure financial transparency and budget disclosure

Based on the standards of International Budget Partnership and experts' opinions from the Financial Services Volunteer Corps (FSVC)³ the Jordan Budget Alliance (JBA) and the Jordan Strategy Forum⁴, the IRM researcher recommends the government to:

- Provide more data on the macroeconomic forecast (unemployment, inflation, Foreign Direct Investment, etc.) and on the financial position of the government in the Executive's Budget Statement⁵
- Include comparisons between: 1) macroeconomic forecasts and the actual macroeconomic outcomes; and (b) planned nonfinancial outcomes and the actual outcomes in the Year-End Report
- Disclose information on the Jordanian energy sector. For example: fuel prices, information on profits and losses, as well as what the break-even point for the government is
- Maintain a public register of government fixed assets and returns including land ownership
- Adopt a digitalization policy of financial documents
- Promote participatory budgeting initiatives

Table 5.1: Five Key Recommendations

1	Strengthen the consultation and co-creation process. The government needs to bring CSOs into the conversation from the beginning and engage with them in a more constructive dialogue. Inviting broader stakeholders would strengthen the co-creation process and ensure better monitoring of the action plan.
2	Ensure adequate implementation of access to information. The next action plan needs to include commitments on enforcement of the FoI law.
3	Improve the operating environment for the media. The next action plan needs to include commitments on improving the operating environment for the media, including removal of restrictions on websites and media outlet registration requirements.
4	Include commitments that strengthen public accountability. Build on the current complaints mechanisms including a commitment on citizen audits of public service delivery.
5	Ensure financial transparency and budget disclosure. Increase the availability of budget information, advance on the digitalization of financial documents and promote participatory budgeting initiatives.

¹ During the research and assessment, it was challenging for the IRM researcher to verify much of the information provided by the government due to a lack of documentation. Reports and meeting notes were not available to the public. Meeting notes were often not taken or stored, attendance sheets were not taken or had been misplaced, and pictures and accurate contact information was sometimes not provided. Sometimes the government workers did not have the knowledge to answer clarification questions on the documents they provided. Moreover, it was difficult to reach the government and the different implementing agencies. Phone numbers or emails were not provided or were incorrect, and phone calls and emails often went unanswered. Additionally, little information was provided on the civil society stakeholders that the government worked with. Sometimes the NGOs were reluctant to give the IRM researcher information on its collaboration with the government.

² The IRM researcher received verification documents that were four to seven years old, and sometimes the government implementing agencies were unaware of the existence of the action plan or the self-assessment report.

³ Danyelle Gerges, Country Director, FSVC, interview by IRM researcher, 12 February 2018.

⁴ Yousef Mansour, Economist and a member of the Jordan Strategy Forum, interview by IRM researcher, 12 February 2018.

⁵ Open Budget Survey 2017, Jordan, <https://www.internationalbudget.org/wp-content/uploads/jordan-open-budget-survey-2017-summary-english.pdf>

VI. Methodology and Sources

The IRM progress report is written by researchers based in each OGP-participating country. All IRM reports undergo a process of quality control to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organizations.

Each IRM researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency and therefore, where possible, makes public the process of stakeholder engagement in research (detailed later in this section.) Some contexts require anonymity of interviewees and the IRM reviews the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each report.

Each report undergoes a four-step review and quality-control process:

1. Staff review: IRM staff reviews the report for grammar, readability, content, and adherence to IRM methodology.
2. International Experts Panel (IEP) review: IEP reviews the content of the report for rigorous evidence to support findings, evaluates the extent to which the action plan applies OGP values, and provides technical recommendations for improving the implementation of commitments and realization of OGP values through the action plan as a whole. (See below for IEP membership.)
3. Prepublication review: Government and select civil society organizations are invited to provide comments on content of the draft IRM report.
4. Public comment period: The public is invited to provide comments on the content of the draft IRM report.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual.¹

Interviews and Focus Groups

Each IRM researcher is required to hold at least one public information-gathering event. Researchers should make a genuine effort to invite stakeholders outside of the "usual suspects" list of invitees already participating in existing processes. Supplementary means may be needed to gather the inputs of stakeholders in a more meaningful way (e.g., online surveys, written responses, follow-up interviews). Additionally, researchers perform specific interviews with responsible agencies when the commitments require more information than is provided in the self-assessment or is accessible online.

The IRM researcher conducted three consultations in two different cities from Jordan (Karak and Amman). Apart from these, observations to multistakeholder meetings were conducted, as well as interviews and follow-up emails to representatives from Royal and non-Royal NGOs.

The following organizations were consulted:

- Motivators for Training
- Transparency International
- ActionAid
- Counterpart International
- Jordan Strategy Forum

- INJAZ
- JNCW
- Jordan Transparency Center

The first consultation focused on the development of the action plan and on implementation results. Citizens and civil society stakeholders from Karak and Tafileh participated. They were introduced to the concept of open government, OGP and commitments. Opinions were taken and discussions were held.

The following attendees took part in this consultation (Karak, 25 October 2017):

- Hanan Barakat
- Husam Al-Tarawneh
- Nayfah al-Nawatrah
- Maysoon Kamal
- Basima al-Rawashdeh

The second consultation focused on the action plan and implementation with youth civil society stakeholders from Amman.

The following attendees took part in this consultation (Dead Sea, 14 October 2017):

- Raghida al-Sanjalawi
- Rawand Samara
- Shahira Abu Ghanima
- Ameer Mubaslat
- Renad Samaan

The third consultation focused on the action plan and implementation with youth civil society stakeholders from Amman.

The following attendees took part in this consultation (Amman, 25 November 2017):

- Abdallah Nahar
- Saba al-Daybawi
- Ashjan Aalawneh
- Maysa Tafesh
- Ola al-Fares

The IRM researcher conducted interviews with the following CSO stakeholders and government representatives:

- Bady al-Baqain, Executive Director, Motivators for Training
- Nidal Mansour, Executive Director, Center for Defending Freedom of Journalists
- Mohammad Aref Leho, civil society member from Jerash
- Mais al-Nimri, civil society member and former volunteer at ActionAid Arwa al-Jarhie, council member of the elected council in Aqaba
- Munir Idaibes, Executive Director, Sisterhood is Global Institute
- Noor Dweiri, Monitoring and Evaluation Unit, Ministry of Public Sector Development
- Bilal Al-Hindi, Head of Government Complaints Unit, Ministry of Public Sector Development
- Abeer Mdanat, Executive Director of Rasheed, Transparency International Jordan

About the Independent Reporting Mechanism

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on an annual basis. The design of research and quality control of such reports is carried out by the International Experts Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts Panel is

- César Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Fredline M'Cormack-Hale
- Showers Mawowa
- Juanita Olaya
- Quentin Reed
- Rick Snell
- Jean-Patrick Villeneuve

A small staff based in Washington, DC, shepherds reports through the IRM process in close coordination with the researchers. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org

¹ IRM Procedures Manual, V.3, <https://www.opengovpartnership.org/documents/irm-procedures-manual>

VII. Eligibility Requirements Annex

The OGP Support Unit collates eligibility criteria on an annual basis. These scores are presented below.¹ When appropriate, the IRM reports will discuss the context surrounding progress or regress on specific criteria in the Country Context section.

In September 2012, OGP officially encouraged governments to adopt ambitious commitments that relate to eligibility.

Table 7.1: Eligibility Annex for Jordan

Criteria	2011	Current	Change	Explanation
Budget Transparency ²	4	4	No change	4 = Executive's Budget Proposal and Audit Report published 2 = One of two published 0 = Neither published
Access to Information ³	4	4	No change	4 = Access to information (ATI) Law 3 = Constitutional ATI provision 1 = Draft ATI law 0 = No ATI law
Asset Declaration ⁴	2	2	No change	4 = Asset disclosure law, data public 2 = Asset disclosure law, no public data 0 = No law
Citizen Engagement (Raw score)	2 (3.24) ⁵	2 (3.24) ⁶	No change	<i>EIU Citizen Engagement Index</i> raw score: 1 > 0 2 > 2.5 3 > 5 4 > 7.5
Total / Possible (Percent)	12/16 (75%)	12/16 (75%)	No change	75% of possible points to be eligible

¹ For more information, see <http://www.opengovpartnership.org/how-it-works/eligibility-criteria>.

² For more information, see Table 1 in <http://internationalbudget.org/what-we-do/open-budget-survey/>. For up-to-date assessments, see <http://www.obstracker.org/>.

³ The two databases used are Constitutional Provisions at <http://www.right2info.org/constitutional-protections> and Laws and draft laws at <http://www.right2info.org/access-to-information-laws>.

⁴ Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (Tuck School of Business Working Paper 2009-60, 2009), <http://bit.ly/19nDEfK>; Organization for Economic Cooperation and Development (OECD), "Types of Information Decision Makers Are Required to Formally Disclose, and Level Of Transparency," in *Government at a Glance 2009*, (OECD, 2009), <http://bit.ly/13vGtqS>; Ricard Messick, "Income and Asset Disclosure by World Bank Client Countries" (Washington, DC: World Bank, 2009), <http://bit.ly/1clokyf>. For more recent information, see

<http://publicofficialsfinancialdisclosure.worldbank.org>. In 2014, the OGP Steering Committee approved a change in the asset disclosure measurement. The existence of a law and de facto public access to the disclosed information replaced the old measures of disclosure by politicians and disclosure of high-level officials. For additional information, see the guidance note on 2014 OGP Eligibility Requirements at <http://bit.ly/1EjLJ4Y>.

⁵ "Democracy Index 2010: Democracy in Retreat," The Economist Intelligence Unit (London: Economist, 2010), <http://bit.ly/eLC1rE>.

⁶ "Democracy Index 2014: Democracy and its Discontents," The Economist Intelligence Unit (London: Economist, 2014), <http://bit.ly/18kEzCt>.